



THE  
BENGAL FOREST MANUAL.

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PART I.—Rules issued under the Act.

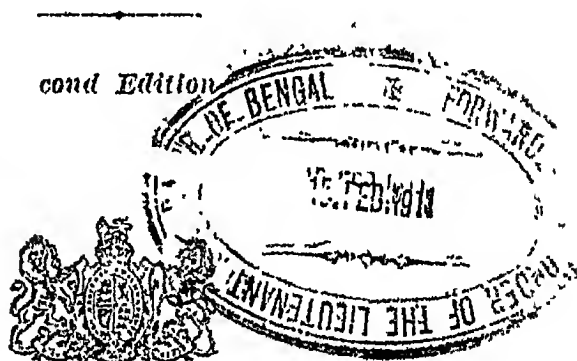
„ II.—Executive Rules and Orders.

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Compiled by order of the Government of Bengal,  
under the direction of the Conservator  
of Forests, Bengal,

BY  
F. TRAFFORD,  
*Deputy Conservator of Forests.*

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# BENGAL FOREST MANUAL.

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# PART I.

## INDIAN FOREST ACT, VII OF 1878,

HAVING FORCE IN THE PROVINCE OF BENGAL.

### CHAPTER I.

#### POWERS AND REWARDS.

##### \* (1) General and Special Powers of Officers.

THE Officers of the Forest Department in Bengal, mentioned in the first column of the following schedule, shall exercise the powers of "Forest Officers," under the sections of the Forest Act mentioned in the second column of the same, over against each such class of officers respectively:—

Class of officers empowered.	Section of the Act under which powers are given.	Brief description of nature of powers conferred.
1	2	3
I. All Deputy Conservators, Assistant Conservators, and Extra-Assistant Conservators, when in charge of Forest Divisions.	20	Power to publish translation of notification of reserved forests.
	25	Do. to permit prohibited acts in reserved forests.
	33	Do. to permit prohibited acts in protected forests.
	45	Do. to notify depôts for drift timber, &c.
	46	Do. to issue notice to claimants of drift timber, &c.
	47	Do. to decide claims to drift timber, &c.
	50	Do. to receive payments on account of drift timber, &c.
	60	Do. to direct release of property seized.
	67	Do. to compound offences.
† I(a) The Divisional Forest Officer, Gorakhpur Forest Division, Oudh Circle, N. W. P.	67	Do. to sell forest produce for Government dues.
† I(b) The Divisional Forest Officer, Sundarbans Division.	71(c)	Power to issue search warrants.
	71(d)	Do. to hold an enquiry and to receive and record evidence.

\* Vide Notification, dated the 14th October 1880.

† " " " No. 954T.—It, dated the 2nd November 1887.

‡ " " " dated the 28th June 1879.



Class of officers empowered.	Section of the Act under which powers are given.	Brief description of nature of powers conferred.
1	2	3
*V.—The Deputy Commissioner of the Sonthal Parganas district and the Subdivisional Officers of Rajmahal and Godda.	33 60 82	Power to permit prohibited acts in protected forests. Do. to direct release of property seized. Do. to sell forest produce for Government dues.
*VI.—The Deputy Commissioner of the Sonthal Parganas district and the Subdivisional Officers of Rajmahal and Godda, all Deputy Rangers, Forestors and Forest Guards subordinate to any officer of class I.	52 55 53 69 82	Power to seize property liable to confiscation. Do. to take charge of Government or confiscated property. Do. to arrest without warrant in certain cases. Do. to seize and impound cattle trespassing. Do. to take possession of produce under Government lien.
†VII.—The Deputy Commissioner of the Angul district, the Sub-divisional Officer of the Sadar subdivision and the Sub-Deputy Magistrate.	33 60 82	Power to permit prohibited acts in the Protected Forests. Do. to direct release of the property seized. Do. to sell forest produce for Government dues.
†VIII.—The Deputy Commissioner of the Angul district, the Sub-divisional Officer of the Sadar subdivision, Sub-Deputy Magistrate, the Forester and the Forest watchers subordinate to officers of class I.	52 55 63 60 82	Power to seize property liable to confiscation. Do. to take charge of Government or confiscated property. Do. to arrest without warrant in certain cases. Do. to seize and impound cattle trespassing. Do. to take possession of produce under Government lien.
†IX.—Sub-Deputy Magistrate of the Angul Sadar subdivision.	71(c) 71(d)	Power to issue search warrants in the Reserved and Protected Forests. Do. to hold an enquiry and to receive and record evidence in cases occurring in the Protected Forests.

\* Vide Notification No. 157, dated the 8th January 1911.

† " " " " No. 1175F.—II, dated the 7th July 1905.

2. The Conservator of Forests is empowered to exercise all or any of the powers conferred on his subordinate officers in the foregoing schedule.

3. The Conservator of Forests is empowered under section 24 of the Act, with the previous sanction of the Commissioner of the Division, to stop ways and water-courses in reserved forests subject to the provisions of that section.

\* 4. The Deputy Commissioner of the Sonthal Parganas and the Subdivisional Officers of the Rajmahal and Godda subdivisions of the Sonthal Parganas district are appointed under section 2 of the Indian Forest Act, VII of 1878, to be "Forest Officers" to carry out the purposes of the said Act in respect of those "protected" forests lying within the limits of their respective jurisdictions which are not under the immediate control of the Forest Department, and are empowered to compound offences described in section 67 of the said Act as amended by section 13 of Act V of 1890 in respect of Forest Offences committed within the areas specified.

† 5. The Deputy Commissioner of Angul, the Subdivisional Officer and the Sub-Deputy Collector of the Sadar subdivision of the Angul district are appointed under section 2 of the Forest Act to be "Forest Officers" to carry out the purposes of the said Act in respect of the Protected Forests in Angul, and are empowered to compound offences.

‡ 6. The Subdivisional Officer of Khurda, in the district of Puri, is appointed under section 2 of the Indian Forest Act VII of 1878 to be a "Forest Officer" to carry out the purposes of the said Act in respect of all "protected" forests lying within his jurisdiction, and is empowered under section 67 (1) of the said Act to compound "forest offences" committed within the area specified.

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\* *Vide* Notification No. 157, dated the 8th January 1901.  
 No. 1475T.—R., dated the 7th July 1906.  
 No. 560T.H., dated 16th May 1903.

\* 7. The Collectors of the Champaran and Saran districts, the Subdivisional Officers of Betiah and Gopalganj, Gandak Rivers, and the officer in charge of the Gorakhpur Forest Division, Oudh Circle, North-Western Provinces and Oudh, are vested with the powers of Forest Officers for the purpose of carrying out the rules made under section 51 of the said Act for the salving, collection and disposal of the drift and stranded wood and timber on the river Gandak and its tributaries, so far as they flow within their jurisdiction, in or along the borders of the Champaran and Saran districts.

For the purposes of carrying out the said rules, such subordinates as may be employed by the officer in charge of the Gorakhpur Forest Division shall be deemed to be officers of the Forest Department in Bengal of class III within the meaning of the notification under sections 2 and 75 (a) of the Indian Forest Act, dated the 14th October 1890.

† 8. Under section 2 of the Indian Forest Act, VII of 1878, the Deputy Commissioner of Palamanu is appointed to carry out all the provisions of the said Act, in respect of all "Protected forests" lying within his jurisdiction, and is empowered, under section 60 of the Act, to direct the immediate release of any property seized under section 52. He is also empowered under sub-section (1), section 67 of the said Act, to compound "forest offences" committed within the area specified.

‡ 9. Under section 2 of the Indian Forest Act, VII of 1878, the Lieutenant-Governor is pleased to appoint the Deputy Commissioner of Hazaribagh to be "a Forest Officer" to carry out the provisions of the said Act, in respect of the "Protected forests" lying within his jurisdiction.

\* Clause 8 of Notification No. 1026For., dated 28th February 1894.

† Vide Notification No. 674T.-R., dated the 24th May 1906.

‡ " " No. 691T.-R., dated the 17th May 1907.



**\* (2) Grant of Rewards—Section 75 (b).**

1. All non-gazetted Government officers and persons not in the employ of Government are eligible for rewards under these rules.

2. The Magistrate or the Court imposing the fine is bound to inform the Divisional Forest Officer, or the Subdivisional Forest Officer not being below the rank of an Assistant Conservator of Forests or, in the case of forests under the management of the Civil Department, the Deputy Commissioner or Collector of the district, of the levy of fine, and the whole or any part of the fine, when realized, may be distributed in such proportions as that officer may think fit among the persons instrumental in the detection of the offence, the seizure of the articles, or the capture of the offender. Besides the amount of the fine, the said person shall also be entitled to share the whole or part of proceeds of the sale of the confiscated articles. The Forest Officer, Deputy Commissioner or Collector aforesaid may also, out of the fine realized, award compensation to any person subjected to annoyance or injury in connection with the proceedings in which the fine was imposed.

3. Rewards granted under these rules shall be disbursed at once, if they are less than Rs. 100. If they are over Rs. 100, that sum only will be disbursed at once, and the rest after the period of appeal has expired, or the appeal has been rejected. In the event of the conviction being reversed on appeal, the amount paid in rewards shall not be recovered from the persons to whom it has been paid, unless it shall appear that they have acted fraudulently.

4. In cases where, under section 67 of the Indian Forest Act, a Forest Officer has accepted a sum of money as compensation for any damage which has been committed, the Conservator of Forests may authorize the payment of a portion of the amount realized as a reward to any person who may have contributed to the discovery of the offender. In the case of forests under the management of the Civil Department, the Deputy Commissioner or Collector in charge of the forests is

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\* *Vide* Notification No. 673T.B., dated the 24th May 1906.

authorized to pay similar rewards out of the money realized by him as compensation for any damage committed.

\*5. For the purposes of rule 2 the "Deputy Commissioner or Collector" shall include the Sub-divisional Officers of Rajmahal and Godda in the Sonthal Parganas District as well as the Sub-divisional Officer of Angul Sadar subdivision and the Sub-Deputy Magistrate stationed at the Angul Sadar Station.

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\* *Vide* Notifications Nos. 1379M., dated the 30th June 1900, and 1475M., dated the 7th July 1900;

## CHAPTER II.

PROTECTED FOREST RULES, AND TRANSPORT,  
DRIFT AND OTHER RULES.

## (1) Angul Protected Forests.

\* I—RESERVATION OF TREES AND PROHIBITIONS  
(SECTION 29).

(i) The following species of trees on lands not settled with any person in the villages and tracts outside the reserved area in the estate of Angul are reserved from the date of this notification, namely:—

1. Mango (vernacular *Amba*) (*Mangifera indica*).
2. Tamarind (vernacular *Tentuli*) (*Tamarindus indica*).
3. Maulo (*Bassia latifolia*).
4. Jamu (*Eugenia jambolana*).
5. Jack (vernacular *panasa*) (*Artocarpus integrifolia*).
6. Limbo nim (*Melia indica*).
7. Kendu (*Diospyros Melanoxydon*).
8. Hog-plum (vernacular *Amra*) (*Spondias mangifera*).
9. Oharo (*Buchanania latifolia*).
10. Harira (*Terminalia Chebula*).
11. Koohila (*Strychnos Nux-vomica*).
12. Khair (*Acacia arabica*).
13. Gundi (*Mallotus philippinensis*).
14. Bahara (*Terminalia bellerica*).
15. Aimla (*Phyllanthus emblica*).
16. Simli (the cotton tree) (*Bombax malabaricum*).
17. Pananga (*Calophyllum inophyllum*).
18. Karanja (*Pongamia glabra*).
19. Kusum (*Schleichera trijuga*).
20. Telai (*Wendlandia tinctoria* and *Wendlandia exserta*).
21. Sâl (*Shorea robusta*).
22. Beja (*Pterocarpus Marsupium*).
23. Mahanim (*Ailanthus excelsa*).
24. Sissu (*Dalbergia Sissoo* and *D. latifolia*).
25. Bandhan (*Ougeinia dalbergioides*).
26. Gumbhari (*Gmelina arborea*).
27. Bar (*Ficus bengalensis*).
28. Pipal (*Ficus religiosa*).
29. Asan (*Terminalia tomentosa*).

(ii) Subject to the rules made under section 31 of the said Act, the following acts are prohibited, namely:—

- (1) The quarrying of stone.
- (2) The burning of lime and charcoal.
- (3) The collection or subjection to any manufacturing process or removal of any forest produce.
- (4) The breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose, any land.

The following are the rules for the Protected Forests in the estate and district of Angul in the Orissa Division:—

- (i) all trees and timber of the species not reserved, as well as forest produce of every description, free of charge, and
- (ii) with the previous written permission of the Deputy Commissioner, all trees and timber of the reserved species named in Schedule A below, on payment of a royalty equal to half the prevailing rate for such timber in the reserved forest area.

3. All trees and timber, not of the reserved species, have been set aside for the use of the tenants and residents of the estate and may not be injured, cut, collected or removed except as hereinafter provided.

[illegible]

and repair of household furniture and agricultural implements. The Deputy Commissioner may remove from or add trees of any species other than reserved trees to the above list.

5. No trees of any species, if more than 6 feet in girth, shall be cut without the Deputy Commissioner's sanction.

6. No large tree of any kind having a girth of over 6 feet, which may be used as a shelter for cattle or is growing on the boundary line of any village or within 60 feet of a public road, shall be cut.

7. All *bond fide* residents in the estate will be permitted to gather within the limits of their own village, or, with the sanction of the Deputy Commissioner, elsewhere, edible roots, fruit and firewood for their personal use or for sale to other residents in the estate, but the Deputy Commissioner may, for any good reason, withdraw this concession from any locality or village.

8. All *bond fide* residents may (within the limits of their respective villages) cut and remove bamboos for their own use only, but such of them as are professional basket-makers may cut them for the manufacture of baskets and mats for sale.

9. A license may be granted by the Deputy Commissioner—

(a) to any inhabitant of a town or village in the vicinity of the protected forest, permitting him to take trees, timber, and other forest produce for his own use; or

(b) to any person authorizing him to cut, convert or remove trees, timber or other forest produce for the purpose of trade, or to any person authorizing him to pasture cattle in the said forest.

10. Such license shall provide for payment by the licensee, at the current rates, for timber or other forest produce to be taken or for any right of pasture conferred.

11. A washerman, potter, blacksmith or other person following an industry which requires the consumption of a large quantity of fuel, shall obtain from the Deputy Commissioner an annual license for which he shall pay such license fee, not

exceeding one rupee, as may seem to the Deputy Commissioner proper.

12. No person shall—

- (a) cut any green tree at a height exceeding 12 inches from the ground;
- (b) fell, convert, remove or otherwise deal with any tree, timber or other forest produce of the said forest, or pasture any cattle therein, except as provided by these rules;
- (c) cut up for fuel or fencing, or in any way damage, waste, or lessen the value of any wood of the reserved description;
- (d) injure any tree of the reserved species, whether in the course of collecting forest produce or in any other way, except when permission has been accorded to rear *tussur* or lac on *kusum* or other trees when the branches may be lopped or when the branches of the *khair* are cut for the manufacture of catechu;
- (e) use fire in the process of collecting forest produce, clearing land for cultivation or improvement of pasture lands;
- (f) manufacture charcoal, except in localities previously approved by the Deputy Commissioner; or
- (g) hunt, shoot or fish in contravention of any rules for the time being in force as to a close season or the possession and use of arms.

13. With the permission of the Deputy Commissioner, trees of the reserved species and bamboos may be felled, cut, lopped or removed, and other forest produce may be manufactured and removed on behalf of a public object or Government work or for the improvement of the Government estate, the produce being disposed of as may have been approved by the Deputy Commissioner. Any amounts realized from this source will be credited as forest revenue.

14. Persons who are *bond fide* residents on Government land in the district may (within the limits of their respective villages) graze, free of charge, any cattle other than sheep and goats,

which are their own property, or which they may have hired for their own household or agricultural work, provided that--

- (a) the pasturing of sheep and goats shall be prohibited if separate areas are available and can be allotted for the purpose;
- (b) the Deputy Commissioner may, to promote tree growth, close any area to the pasturing of cattle or sheep and goats for any period not exceeding five years, when in his opinion there is sufficient grazing ground available elsewhere within a reasonable distance;
- (c) if it shall appear to the Deputy Commissioner that the area within the limits of any village cannot afford proper pasturage for cattle (*bona fide* the property of the villagers), he may, by an order in writing, authorize them to graze their cattle within any other forest area, provided it can supply the requirements of both villages;
- (d) professional graziers of goats and sheep may only graze such animals in places set apart for the purpose by the Deputy Commissioner; all professional graziers shall pay the following grazing fees or such other fees as may, from time to time, be fixed by the Local Government:—

For a buffalo (of any age), 8 annas for any period not exceeding one year.

For any other animal (of any age), 4 annas for any period not exceeding one year.

15. No land in the protected area shall be cleared or broken up for temporary or permanent cultivation, except with the written permission of the Deputy Commissioner and subject to the condition that slopes having a gradient of more than 15 degrees shall not be cultivated, and that trees of the reserved species, including stems of any age, shall not be felled, cut, burnt or injured in any way.

16. No land shall be cleared or broken up for any irrigation work, or any public purpose, without the written permission, in each case, of the Deputy Commissioner.

17. These rules are subject to the provisions and condition of any settlement of revenue and record-of rights made or hereafter to be made under any rule or law for the settlement of land for the time being in force in the district of Angul.

18. The Deputy Commissioner may, with the sanction of the Superintendent, Tributary Mahals, previously obtained by an order in writing, delegate to the Forest Officer in charge of the Angul Forest Division, all or any of the powers conferred on him by these rules, and may, by a like order under similar sanction, resume any power so delegated. When such powers are conferred on the Forest Officer, the protected forests shall, to the extent of the power delegated, be under his management, but the same shall be exercised, subject to the control of the Deputy Commissioner of Angul.

#### SCHEDULE A.

##### LIST OF TREES RESERVED UNDER SECTION 29 OF THE INDIAN FOREST ACT, VII OF 1878.

1. Mango (vernacular *Amba*) (*Mangifera indica*).
2. Tamarind (vernacular *Tentuli*) (*Tamarindus indica*).
3. Maulo (*Bassia latifolia*).
4. Jamu (*Eugenia jambolana*).
5. Jack (vernacular *panasa*) (*Artocarpus integrifolia*).
6. Limbo nim (*Melia indica*).
7. Kendu (*Diospyros Melanoxylon*).
8. Hog-plum (vernacular *Amra*) (*Spondias mangifera*).
9. Oharo (*Buchanania latifolia*).
10. Harira (*Terminalia Olcbula*).
11. Kochila (*Strychnos Nux-vomica*).
12. Khair (*Acacia arabica*).
13. Gundi (*Mallotus philippinensis*).
14. Bahara (*Terminalia bellerica*).
15. Aimla (*Phyllanthus emblica*).
16. Simli (the cotton tree) (*Bombax malabaricum*).
17. Punanga (*Calophyllum inophyllum*).



18. Karabja (*P. hirsuta* (L.) Pers.),
19. Kuuma (*B. ulmi* L. var. *hirsuta*),
20. Telai (*Pinus qinghaiensis* nitida (*Wen. Hu.* *W. H. Kuntze*)),
21. Sai (*S. arvensis* L.),
22. Beja (*Pteris argentea* Maxim.),
23. Mulinuim (*Adiantum species*),
24. Seta (*Dactyloctenium aegyptium* L.),
25. Kuzhian (*Oxycoccus latifolius* L.),
26. Ganthari (*Eleocharis acicularis* L.),
27. Hax (*Pteris longipinnis* L.),
28. Papai (*P. caudata* L.),
29. Arua (*Terrestrial moss*).

**(2). Chota Nagpur Protected Forests.****\*I.—RESERVATION OF TREES AND PROHIBITIONS  
(SECTION 29).**

(1) The following species of trees are reserved, namely :—

1. Sal (*Shorea robusta*).
2. Asan (*Terminalia tomentosa*).
3. Kusum (*Schleichera trijuga*).
4. Kohua (*Terminalia Arjuna*).
5. Hara (*Terminalia Chebula*).
6. Paisar (*Pterocarpus Marsupium*).
7. Nim (*Melia indica*).
8. Tamarind (*Tamarindus indica*).
9. Mango (*Mangifera indica*).
10. Mahua (*Bassia latifolia*).
11. Khair (*Acacia catechu*).
12. Karam (*Adina cordifolia*).
13. Karanj (*Pongamia glabra*).

(2) Subject to the rules made under section 31 of the Forest Act, the following acts are prohibited, namely :—

- (1) The quarrying of stone.
- (2) The burning of lime and charcoal.
- (3) The collection or subjection to any manufacturing process or removal of any forest produce.
- (4) The breaking up, or clearing for cultivation, for building, for herding cattle, or for any other purpose, any land.

**† II.—RULES FOR THE CHOTA NAGPUR PROTECTED  
FORESTS (SECTION 31).**

The following are the rules for the Protected Forests in the districts of Singhbhum, Lohardaga, ‡ Palamau, Hazaribagh, and Manbhum in the Chota Nagpur Division :—

§ Rule 1.—Persons who are *bonâ fide* residents on Government land in any of the said districts (hereinafter referred to as 'villagers') may do any of the following acts, free of charge, *within the*

\* Vide Notification No. 3589For., dated the 17th July 1894.

† Vide Notification No. 5661For., dated the 28th January 1895.

‡ The Lohardaga district has since been named Ranchi.

§ Vide Notification No. 383For., dated the 18th January 1896.

*limits of the Protected Forest block or blocks adjacent to their respective villages, namely:—*

- (1) cut, convert and remove to their homes for their own private use, but not for sale or barter, any green trees or timber not of a reserved species as defined in Notification No. 3589For., dated the 17th July 1894, any dry trees or timber of whatever kind, and any other forest produce.
- (2) cut, convert and remove such green trees of any reserved species, excepting Mahua (*Bassia latifolia*), Kohua (*Terminalia arjuna*) and Hara (*Terminalia Chebula*) trees, and trees whose girth at four feet from the ground is less than two-and-a-half feet, as may be required for the construction or repair of their houses, or for the manufacture or repair of articles for their own domestic use or of implements of agriculture or other industry for their own use;
- (3) pasture any cattle (other than sheep or goats) which are *bond fide* their own property:

Provided as follows:—

- (a) sheep and goats may be pastured within such areas as may be allotted by the Deputy Commissioner;
- (b) the Deputy Commissioner may, in order to promote tree-growth, close any area to the pasturing of cattle, for any period not exceeding five years, when there is, in his opinion, sufficient grazing ground available elsewhere, not too inconveniently situated with reference to the villages concerned.
- \* (c) In the protected forests of the district of Palaman, green trees of any reserved species (excepting Mahua, Kohua and Hara), whose girth at four feet from the ground is more than one foot six inches, and less than three feet, may be cut, converted and removed for the purpose indicated above.

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\* *Vide* Notification No. 1039T.B., dated the 5th November 1896.

\*2. If it shall be proved to the satisfaction of the Deputy Commissioner that the protected *forest block or blocks* adjacent to any village cannot produce the timber or other forest produce reasonably required by the villagers for their own private use, or cannot afford proper pasturage for cattle, *bonâ fide* the property of the villagers, and that the *Protected Forest block or blocks adjacent to some other village* can supply the deficiency in addition to supplying the wants of the inhabitants of such other village, he may, by order in writing, authorise the said villagers to do any of the acts mentioned in Rule I *within the limits of such other Protected Forest block or blocks*.

3. (1) Licenses may be granted by the Forest Officer—

- (a) to any inhabitant of a town or village in the vicinity of the said forest, authorising him to take trees, timber or other forest produce for his own use; or
- (b) to any person, authorising him to fell or remove trees or timber or other forest produce from the said forest for the purposes of trade; or
- (c) to any person, authorising him to pasture cattle in the said forest.

(2) Every such license shall provide for payment by the licensee at the current rates for all trees, timber or other forest produce taken, or for any right of pasture conferred, thereunder.

4. No person shall cut, convert or remove from the said forest, or otherwise deal with, any tree, timber or other forest produce of the said forest, or pasture any cattle therein, except as provided by Rules 1, 2 and 3.

†5. If any green trees of any reserved species should be cut, converted or removed by villagers otherwise than as provided by rule 1, clause 2, the Deputy Commissioner may, by order in writing, prohibit the cutting of any tree of any reserved species until the written permission of the Forest Officer has been obtained and the trees permitted to be cut have been marked by or under the order of the Forest Officer.

6. No person who is authorized by or under those rules to cut, convert or remove trees, timber or

\* *Vide* Notification No. 883For., dated the 18th January 1896.

† " " 2109For., dated the 21st July 1906.

other forest produce shall injure or wastefully use any tree of any reserved species, whether in the course of collecting forest produce or in any other way: Provided that this prohibition shall not extend to the lopping of Asan (*Terminalia tomentosa*), Kusum (*Schleichera trijuga*), or Paras (*Butea frondosa*) trees for the collection of cocoons or lac which may have formed on them.

7. Any person who fells a green tree under these rules shall cause the same to be cut as level with the ground as may be feasible.

8. No land in the said forest shall be cleared or broken up for cultivation or any other purpose without the written permission of the Deputy Commissioner.

9. No person who is authorized by or under these rules to do any act shall use fire in the collection of forest produce, in the clearing of land for cultivation, or for the improvement of pasturage lands.

10. Nothing in these rules shall be held to permit any infringement of the rules for the time being in force in the "Protected Forests" of Bengal for the regulation of hunting, shooting, and fishing.

\* 11. The Deputy Commissioner may, by order in writing, delegate to the Forest Officer all or any of the powers conferred on himself by these rules, and may, by a like order, resume any power so delegated: provided that this rule is not applicable to the Protected Forest in Palamau, where the Deputy Commissioner is the Forest Officer.

### (3). Porahat Estate.

#### DEMARCATED BLOCKS OF THE PROTECTED FORESTS IN THE PORAHAT ESTATE, SINGHBHUM DISTRICT.

##### † I.—*Reservation of trees and prohibitions* (Section 29).

(a) The following species of trees shall be reserved, namely:—

- (1) Sâl (*Shorea robusta*);
- (2) Asan (*Terminalia tomentosa*);
- (3) Kusum (*Schleichera trijuga*);
- (4) Mango (*Mangifera Indica*);
- (5) Mahua (*Bassia latifolia*);

\* Vide Notification No. 2109 For., dated 21st July 1906.

† " " " " No. 3630 For., dated 22nd December 1906.

(b) the following acts shall subject to any rule made in respect of the said blocks under section 31 of the aforesaid Act, be prohibited, namely :—

- (1) the quarrying of stones ;
- (2) the burning of lime and charcoal ;
- (3) the collection, or subjection to any manufacturing process, or removal of any forest produce ;
- (4) the breaking up or clearing for cultivation, for building for herding cattle or for any other purpose, any land.

\* II.—*Rules to regulate the cutting and removal of Timber and Forest Produce, the pasturing of Cattle and protection from Fire in the demarcated blocks of the Protected Forests in the Porahat Estate.*

I.—Persons who are *bonâ fide* residents on land belonging to the zamindar in the Porahat Estate, whether in khas, kharposh or brahmottar villages (hereinafter referred to as villagers) may do any of the following acts free of charge within such part of any demarcated forest block as lies within the boundaries of their respective villages, namely :—

Removal of forest produce, for private use and pasturage, by tenants of Porahat Estate.

- (1) take any forest produce for their own private use, but not for sale or barter ;
- (2) pasture any cattle (other than sheep and goats) which are *bonâ fide* their own property ;

Provided as follows :—

Proviso.

- (a) this privilege shall not extend to professional graziers ;
- (b) the Deputy Commissioner may, in order to promote tree growth, close any area to the pasturing of cattle for any period not exceeding five years when there is, in his opinion, such sufficient grazing ground available elsewhere, as is not too inconveniently situated with reference to the villages concerned.

- (c) if the inhabitants of any such village habitually infringe these rules, or permit of their being infringed, the Deputy Commissioner may, by an order in writing, withdraw the special privileges exercised by them for a period not exceeding five years.

Setting apart of special areas for use of residents.

II.—Any resident of any village within the said estate shall be entitled to do any of the acts mentioned in Rule I free of charge in any area set aside for the purpose by the Deputy Commissioner.

Grant of licenses to cut and remove forest produce and to pasture cattle.

III.—Licenses may be granted by the Forest Officer—

- (a) to any inhabitant of a town or village in the vicinity of a demarcated forest block, authorizing him to take trees, timber or other forest produce therefrom for his own use; or
- (b) to any person authorizing him to fell or remove trees or timber or other forest produce from such block for the purpose of trade; or
- (c) to any person authorizing him to pasture cattle in such block.

Every such license shall provide for payment by the licensees at the current rates for all trees, timber or other forest produce taken, or for the right of pasture conferred thereunder.

Prohibition against cutting, converting and removal otherwise than in accordance with these rules.

IV.—No person shall cut, convert or remove from the said forest blocks, or otherwise deal with, any tree, timber or other forest produce of the said blocks, or pasture any cattle therein, except as provided by Rules I, II and III.

Prohibition against injury and waste.

V.—No person who is authorized by or under these rules to cut, convert or remove trees, timber or other forest produce shall injure or wastefully use any tree, whether in the course of collecting any forest produce or in any other way:

Provided that this prohibition shall not extend to the lopping of trees for the collection of lac by the residents of the village within which they stand.

Method of cutting green trees.

VI.—Any person who fells a green tree under these rules shall cause the same to be cut as nearly level with the ground as may be feasible.

VII.—(2) No person shall use fire in the collection of forest produce for the improvement of pasturage lands or for any other purpose. Protection  
against fire.

(b) The fire-protection rules for the time being in force in the Reserved Forests of the Singhbhum Division shall apply, *mutatis mutandis*, to the demarcated protected-forest blocks situated in the Porahat Estate.

VIII.—The Deputy Commissioner may, by order in writing, delegate to the Forest Officer all or any of the powers conferred on himself by these rules, and may, by a like order, resume any power so delegated. Delegation  
of power.

#### **\* (4) Rules for the Registration of Property Marks, and Transit of Timber in the Singhbhum District (Section 41).**

##### **(a) PROPERTY MARKS.**

I. Any person who desires to register a property mark to be placed on timber which he intends to transport in or through the Kolhan or Porahat estate, Singhbhum district, may apply in writing to the Forest Officer in charge of the Singhbhum Forest Division, submitting with his application—

- (i) a copy and description of the mark which he wishes to be registered;
- (ii) a statement of the period for which he wishes the mark to be registered; and
- (iii) the amount of the fee due under these rules for registration.

II. Every registration of a property mark by the Forest Officer shall hold good for one or for three years from the 1st July preceeding the date of registration, whichever the applicant may desire, and the fee payable by him shall be Rs. 2 for each registration for one year and Rs. 4 for each registration for three years. Double fees shall be charged for any additional property mark in excess of the first one registered in the name of an applicant.

III. The Forest Officer may refuse to register any mark—

- (a) which he considers resembles too closely any Government property mark or any mark he has previously registered in favour of another person; or

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\* *Vide Notification No. 1502 For., dated the 20th March 1908.*



- (b) if he is of opinion that the applicant does not possess and is unlikely to obtain possession of timber requiring to be marked with a property mark; or
- (c) if, on account of a previous conviction of the applicant of any serious forest offence, or for any other reason which seems to him sufficient, he is of opinion that the applicant cannot be trusted with a registered property mark; or
- (d) if he has already registered one or more property marks in the applicant's favour, and is of opinion that the latter has not shown sufficient cause for the registration of an additional mark.

IV. An appeal shall lie from any order by the Forest Officer refusing to register a mark to the Conservator of Forests in Bengal; and, if the applicant owns timber outside the boundaries of the Kolhan and Porahat estates and desires to transport it through either or both of these estates, from any such order passed on appeal by the Conservator of Forests in Bengal to the Commissioner of the Chota Nagpur Division.

FORM OF CERTIFICATE OF REGISTRATION OF A  
PROPERTY MARK IN THE SINGHBHUM DISTRICT.

Person in whose favour the mark is registered—

Date of registration—

Date up to which registration will hold good—

Registration fees received— (Counterfoil.)

Copy of mark—

Signature of the Forest Officer—

(b) RULES FOR THE TRANSIT OF TIMBER AND FIRE-  
WOOD IN AND THROUGH THE SINGHBHUM DISTRICT.

I. In these rules—

“Timber” includes all pieces of wood of the undermentioned kinds, viz.—

*Sal* (*Shorea robusta*);

*Asan* (*Terminalia tomentosa*);

*Paisar* or *Iia* (*Pterocarpus Marsupium*)

*Karam* (*Adina cordifolia*);

*Ruta* (*Ougeinia dalbergioides*),

which are sawn or squared with the axe, or which are over 6' in length and 9" in girth.

"The Forest Officer" means the Forest Officer in charge of the Singhbhum Forest Division.

II. (1) No timber shall be imported into the tracts respectively called the Kolhan estate and the Porahat estate, situated in Singhbhum district, from any place outside the said tracts without a written permit previously obtained from the Forest Officer showing :—

- (a) the name or designation of the owner of the timber;
- (b) the descriptions and amounts of timber which may be imported;
- (c) the property mark or marks which each piece of timber must bear;
- (d) the road or roads by which the timber must be transported and its destination or destinations; and
- (e) the period during which the permit holds good.

III. No piece of timber shall be imported into the said tracts, or removed from any reserved forest in the said tract, or transported from any other part of the said tracts to any railway station on the Bengal-Nagpur line, or to the towns of Chaibassa or Chakradharpur unless it bears a property mark which has been registered by the Forest Officer.

IV. Nothing in rules II and III shall apply to timber imported into the tracts or places therein mentioned by *bond fide* raiyats of the same for their own use, but not for sale or barter.

V. Every person transporting timber cut in any forest or other land in the Kolhan estate, or any reserved or protected forest in the Porahat estate to any railway station or town referred to in rule III shall previously obtain, and shall present for examination on demand by any Forest Officer or Police Officer, a permit signed by the Forest Officer or any other Forest Officer authorised by the Forest Officer in this behalf showing :—

- (a) the name of the owner of the timber;
- (b) the number and dimensions of the pieces of the timber of which the transport is permitted;

- (c) the mark or marks to be borne by each piece of timber;
- (d) the railway station or town to which the timber must be transported; and
- (e) the date up to which transport is permitted.

VI. Every person transporting timber under cover of a permit granted under rule V shall, on arrival at the destination mentioned in his permit, present the timber for examination at the forest checking station established by the Forest Officer, and shall present the permit authorising its transport at the said checking station on or before the date of expiry of the permit.

VII. No person shall transport firewood, charcoal or bamboos cut or manufactured in any part of the Kolhan estate or in any reserved or protected forest in the Porahat estate to the town of Chaibassa or Chakradharpur without a permit issued by a Forest Officer authorised by the Forest Officer to issue such permits showing:—

- (a) the kind and amount of firewood, charcoal or bamboos he is authorised to transport; and
- (b) the date up to which the permit holds good; and before entering either of the said towns such person shall proceed to one or other of the forest checking stations established by the Forest Officer and present the firewood, charcoal or bamboos and the permit to the Officer in charge of such checking station for examination.

VIII. Any person who, in contravention of these rules or of the conditions of any permit issued thereunder,—

- (a) imports or transports timber; or
- (b) transports firewood, charcoal or bamboos; or
- (c) fails or refuses to present his permit or timber in the manner required by these rules,

shall be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to five hundred rupees, or with both.

### \* (5) Darjeeling District Drift Rules.

#### I.—AREAS IN WHICH UNMARKED WOOD IS THE PROPERTY OF GOVERNMENT (SECTION 45).

The following are the areas within which all unmarked wood and timber shall be the property of Government, unless and until any person establishes his right and title thereto under the provisions of the Indian Forest Act, 1878, and the rules made under it:—

The following rivers in the district of Darjeeling together with their tributaries, so far as they flow through British territory down to the southern boundary of those districts:—

- |                 |  |              |
|-----------------|--|--------------|
| 1. Meehi river. |  | 4. Mahanadi. |
| 2. Ohenga.      |  | 5. Tista.    |
| 3. Balasun.     |  | 6. Jaldaka.  |

#### † II.—RULES FOR THE COLLECTION AND DISPOSAL OF DRIFT WOOD (SECTION 51).

1. All timber, in pieces exceeding 2 feet in girth and 4 feet in length, found adrift, beached, stranded or sunk in the areas defined by Notification, dated the 3rd November 1879, as modified by Notification, dated the 18th July 1887, that is to say, on the following rivers in the district of Darjeeling together with their tributaries, so far as they flow through British territory, down to the southern boundary of the districts:—

- |                  |  |
|------------------|--|
| (1) Meehi river, |  |
| (2) Ohenga,      |  |
| (3) Balasun,     |  |
| (4) Mahanadi,    | { with the exception of the part which |
| (5) Tista,       | { is included within or adjoins the    |
| (6) Jaldaka,     | { Baikuntpur estate,†                  |

may be salvaged by any person: provided that nothing in this rule shall be held to prevent the Forest Officer contracting with the salvagers to collect the wood and timber at certain places, or leasing the right of collection and disposal at rates agreed on by the parties, and no salvage rate shall be

\* *Vide* Notifications of the 3rd November 1879 and of the 18th July 1887. [Omits Sankos River from list in (a)].

† " " No. 161 For., dated the 8th January 1901.

‡ " " " 72 T.R., dated the 11th April 1904.

claimable in addition to any rate paid under such contract.

2. The salver shall intimate the fact that he has salved wood or timber to the Divisional Forest Officer in charge of the drift operations, or to the nearest police-station, or to such police or other officer or subordinate as the Divisional Forest Officer may, from time to time, direct to receive such reports; every such police or other officer or subordinate shall be bound to give a receipt to the person so intimating, and report the same, without unnecessary delay, to the Divisional Forest Officer in charge of the forest division to which the control of the river pertains.

3. The following salvage rates shall be payable by the Forest Officer to the salver :—

(a) For salvage *in situ*—10 per cent. of the value of the wood salved, as adjudged by the Forest Officer.

(b) For salvage and transport to depôt—25 per cent. of the value of the wood salved as adjudged by the Forest Officer.

The Forest Officer may fix any higher rate, not exceeding twice the above rates, for salving or for salving and transport to depôt, on any portion of a river where such salving is unusually difficult or dangerous, or where any depôt notified by the Forest Officer under section 45 of the Act is situated at a distance of over five miles from where the salving actually took place.

4. No person shall, without permission in writing of the Forest Officer, cut up, remove, conceal, burn, mark or efface or alter any mark or marks on, or sell or otherwise dispose of, any wood or timber subject to those rules, except in accordance with their provisions.

5. Any person who shall infringe any of the provisions of these rules shall be punished with imprisonment which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

## **\*(6) Darjeeling Division Grazing Rules.**

### **RULES REGULATING GRAZING [SECTION 75 (d).]**

The following rules regulate grazing in the Reserved Forests of Darjeeling:—

1. Grazing in the reserved forests of the Darjeeling Forest subdivision, other than those north of the Little Rangit river, is prohibited, except under the following rules and conditions.

2. Permits for grazing will be issued by the Forest Officers in charge of ranges, hereinafter referred to as range officers, for the calendar month, on payment of such fees as may from time to time be fixed by the Conservator of Forests with the sanction of Government. The permits will fix the block or locality in which the privilege of grazing may be exercised; such blocks or localities shall be selected by the Divisional Forest Officer with regard to the protection of the forest, the convenience of the permit-holder, and the existing orders of Government on the subject, or orders which may in future be issued by Government.

3. He shall not be obliged to allow grazing in more than 12,630 acres, nor to permit more than 918 and 735 head of cattle to be grazed during the summer and winter months respectively. With the concurrence of the Deputy Commissioner, he may reduce the number of head of cattle to be admitted during the winter months.†

NOTE.—The Deputy Commissioner of Darjeeling has been vested with the powers of reducing the maximum number of cattle to be grazed during the winter in the Reserved forests.‡

4. Grazing will be reserved for milk-cattle required for the supply of milk and butter to the public in Darjeeling, Jellapahar, and Jore Bungalow, and for a number of draught cattle not exceeding 150 head.

The Divisional Forest Officer will not be bound to provide grazing for any cattle other than the above, but may, with the sanction of the Conservator, allow temporarily a larger number if he considers it can be done with due regard to the interest of the forest.

\* *Vide* Notifications, dated 10th October 1885 and 19th November 1885.

† " " " " No. 2606 For., dated 27th October 1905.

‡ Government Order No. 2810, dated 8th November 1905.

5. The construction of grazing camps, enclosures, or *bathans* is prohibited, except on the sites pointed out by the Divisional Forest Officer. Sites for two *bathans* shall be allowed to each grazier whose permit allows him to graze more than five head of cattle. Should more be required, or a change of site applied for, the question to be decided in case of dispute by the Divisional Forest Officer and Deputy Commissioner.

6. In the cases in which the two *bathans* allotted to a permit-holder lie in two different blocks, he shall not leave one for the other without previous notice to the range officer, and without having the permission of this officer endorsed on the permit.

7. For the construction of, and repairs to, these *bathans*, permit-holders may utilize such dry fallen wood as may be found in the vicinity, and, with the permission of the range officer, canes and bamboos. Should sufficient dry wood not be available, the Divisional Forest Officer, or his subordinate under his orders, may mark and allow to be cut for this purpose trees of the less valuable kinds of smaller girth than 18 inches on prepayment of annas 4 per tree. No charge will be made for canes, bamboos, or dry wood.

8. The Divisional Forest Officer may prohibit the construction of *bathans* for draught cattle.

9. The cutting and lopping of trees is prohibited. This rule does not apply to bamboos, creepers, and the trees known as *Dung-Dung* (*Brassaiopsis Hainla*) and *Dudhia* (*Ficus gemolla*).

The prohibition of cutting and lopping trees does not apply to the shrub known as *Phulsari* (*Rubus lineatus*).

10. Payment for permits for grazing will be made in advance on the first day of the month, and in case of payment not being made by the 10th, double fees may be charged; if not made by the 20th, the cattle may be driven out of the forest, or the defaulters prosecuted under section 25 (d) of the Indian Forest Act, and the issue of a permit refused, subject to appeal to the Conservator. Should the Conservator consider it desirable, payments may be made quarterly, but subject to the above provisions as to payments.

11. Buffaloes, goats, and sheep will not be allowed grazing in the forests forming the circles to

be worked for the supply of fuel and timber to Darjeeling, Jellapahar, and tea plantations.

12. All permits will be kept at the *bathans*, and will be produced for inspection whenever called for by any Forest or Police Officer. On the expiry of the term for which a permit is issued, it shall be returned to the office of issue, and a fresh permit may be refused, unless the applicant produces his expiring or expired permit.

13. The range officer shall, after issue of a notice to any holder of a grazing permit, copy of which shall be sent for record to the Divisional Officer, require that on a day fixed, not less than seven days from the date of the notice, he shall have all his cattle within his *bathan* to allow of their number being checked with his permit. Such inspections shall not be made oftener than four times in the year: they shall ordinarily be held between the hours of 7 and 10 A.M. so as not to cause unnecessary inconvenience to the permit holder, who may, however, by giving at least two days' notice to the range officer, fix any other hour between 8 A.M. and 6 P.M. of the day appointed by the notice that may be more convenient to himself. Should the permit-holder refuse or neglect to comply with the terms of the notice referred to above, or otherwise hinder the thorough inspection of his cattle, the issue to him of a fresh permit may be refused until he has complied with the requirements of this rule.

The Conservator may exempt by name, class or locality any person or persons from the requirements of the preceding clause.

Nothing in this rule shall be held to debar any Forest or Police Officer from visiting and inspecting a *bathan* or cattle-shed or pen within the reserved forests, or the cattle grazing in the forest.

14. Any Forest Officer attached to the Darjeeling Forest Division, to whom the range officer is subordinate, may exercise any of the powers conferred on a range officer by these rules.



**(7) Gandak River Rules.****\* GANDAK RIVER RULES (SECTION 41):**

The following rules regulate the transit of timber on the Gandak river so far as it flows within the jurisdiction of the Government of Bengal.

1. No person having launched his timber or set it afloat on the Gandak river shall collect the same, except—

(a) with the permission, in writing, of the officer in charge of the Gorakhpur Forest Division;

(b) at places which such Forest Officer shall notify as catching depôts.

2. No person shall raft or otherwise convey any timber on the Gandak river without first obtaining a pass from the Forest Officer in charge of the Gorakhpur Forest Division, or from such subordinate officer as the said Forest Officer may authorize in that behalf. Such pass shall show the number of logs or pieces, the kind of timber, the marks indicative of the owner's property therein, the place of its destination and the time for which it shall remain in force. It may specify that the timber may be stopped at certain places to be named in the pass.

3. No pass shall be issued for any unmarked timber, or for such timber as bears a mark not registered as hereinafter provided.

4. Any Forest or Police Officer may require any person rafting or conveying timber, as aforesaid, to produce the pass for the same at any time. No person shall be entitled to raft or convey timber by virtue of a pass which he does not himself hold, but which is, or is stated to be, in the hands of some other person. In the event of the pass not being produced, the Forest Officer may detain the timber.

5. For every pass issued under rule 2 a fee not exceeding one anna for each log or piece of timber to which it relates may be levied at such places as the Conservator of Forests may from time to time direct.

6. Every person wishing to raft or otherwise convey timber on the Gandak river shall notify to

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\* *Vide* Notification No. 589 For., dated the 7th February 1898.

the Forest Officer in charge of the Gorakhpur Forest Division, or such Forest Officer as may be appointed in this behalf by the Forest Officer in charge of the Gorakhpur Forest Division, the mark which indicates his proprietary right in such timber. A fee of Rs. 5 shall be payable for its registration. No more than one mark shall be registered for one owner.

7. No person shall be allowed to register a mark already registered in favour of another person, nor any mark used by the Government, and the Forest Officer in charge of the Gorakhpur Forest Division may refuse the registration of any mark which, in his judgment, too closely resembles a mark used by the Government or registered in favour of any other person.

8. Every registration under rule 6 shall hold good for three years following the 1st January next after the date of registration.

9. A certificate, showing the mark registered, the date of registration and the period for which it holds good, and acknowledging the payment of the fee, shall be given to every person registering a mark under rule 6.

10. Within the limits notified under section 45 of the Indian Forest Act, by notification No. 1026 For., dated the 28th February 1894, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, and the possession or carrying of marking hammers or other implements used for the marking of timber, except with the permission, in writing, of the Forest Officer in charge of the Gorakhpur Forest Division, is prohibited. Such permission, if granted, shall specify the place at which only it is to take effect, and may contain such other conditions regarding the previous inspection of the timber and otherwise as may be necessary.

11. Whoever contravenes any of these rules shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

### (8) Gandak River Drift Rules.

**\* I.—AREA IN WHICH UNMARKED WOOD IS THE PROPERTY OF GOVERNMENT (SECTION 45).**

The river Gandak and its tributaries in the Champaran and Saran districts, or along their borders down to the point where they are crossed by the Motihari-Chapra road, including an area within a direct distance of two miles from either bank of the main stream of the Gandak river, taking that stream at its cold-season level (provided always that these areas are within the jurisdiction of the Government of Bengal), are areas within which all unmarked timber of the following descriptions shall be considered to be the property of Government, unless or until any person establishes his right and title thereto under the provisions of the Forest Act and the rules made under it:—

*Sál, sissu, deodar, tun, assaina, haldu, chir, and sandan*, in pieces exceeding 2 feet in girth and 4 feet in length, but no other classes or sizes of unmarked timber whatever.

**II.—DRIFT TIMBER RULES FOR THE RIVER GANDAK AND ITS TRIBUTARIES (CHAMPARAN AND SARAN DISTRICTS) (SECTION 51).**

1. All timber found adrift, beached, stranded or sunk; all wood or timber bearing marks which have not been registered under section 41, Act VII of 1878, or on which the marks have been obliterated, altered or defaced by fire or otherwise, and all unmarked timber which is by this Notification declared to be the property of Government, may be salvaged by any person within the area above specified.

2. The salvager shall intimate the fact that he has salvaged wood or timber to the Divisional Forest Officer in charge of the drift operations, or to the nearest police-station, or to such police or other officer or subordinate as the Divisional Forest Officer may from time to time direct to receive such report; every such police or other officer or subordinate shall be bound to give a receipt to the person so intimating, and report the same, without unnecessary delay, to the Divisional Forest Officer in

\* Vide Notification No. 1026For., dated the 28th February 1894.

charge of the forest division to which the control of the river pertains.

3. Any such person who shall have salvaged wood or timber under these rules shall be entitled to receive as salvage fees—

(a) in the case of wood or timber, the ownership of which is proved and admitted under section 47 of the Indian Forest Act—from the owner, through the Forest Officer, a sum not exceeding 25 per cent. of the value thereof, as adjudged by the Divisional Forest Officer in charge of the drift operations;

(b) in case of wood or timber that becomes vested in Government under section 48 of the Indian Forest Act—from Government a sum not exceeding 25 per cent. of the net balance of the sale price of the said wood or timber, after deducting therefrom all expenses of transport and other charges (if any): such salvage fees to be paid after the sale has been effected.

4. No such wood or timber shall be delivered to any claimant who, under section 47 of the Indian Forest Act, has been recognized to be the owner until, under section 50 of the said Act, he shall have paid to the Divisional Forest Officer 25 per cent. of its value as adjudged by that officer, together with such other expenses as may have been incurred in salvaging the said wood or timber. Should the recognized owner fail to make these payments within ten days of his receiving intimation from the Divisional Forest Officer of the amount due, the property salvaged shall be dealt with (under section 48 of the Act) as unclaimed timber.

5. All drift and stranded wood and timber salvaged under these rules, which may become vested in Government under section 48 of the Indian Forest Act, shall be sold to the best advantage after two months from the expiry of the period fixed for the disposal of claims under section 46 of the said Act.

6. Drift and stranded wood and timber when sold by the Forest Department will be marked

with the departmental sale mark, and, when relinquished under rule 4, with a suitable distinguishing mark.

7. For all timber removed from the area above notified a printed and numbered pass must be obtained from such officials as may be appointed by Divisional Forest Officers, on which shall be clearly entered the number of pieces and the kinds of wood and timber and the amount realised from the purchaser or claimant over the signature of the official appointed to this duty.

8. Any person who shall infringe any of the provisions of these rules shall be punished with imprisonment which may extend to six months, or with fine which may extend to five hundred rupees, or with both. (*See also paragraph 7, page 24*)

## (9) Khurda Protected Forests.

\* I.—RESERVATION OF TREES AND PROHIBITIONS  
(SECTION 29.)

(a) The following classes of trees are reserved, namely:—

1. Mango; vernacular Am (*Mangifera indica*).
2. Tamarind; vernacular Tentuli (*Tamarindus indica*).
3. Mohul (*Bassia latifolia*).
4. Jack; vernacular Panasa (*Artocarpus integrifolia*).
5. Kuchila (*Strychnos Nux-vomica*).
6. Nim (*Melia indica*).
7. Bel (*Egle Marmelos*).
8. Kondhu (*Diospyros Melanoxylon*).
9. Hara (*Terminalia Chebula*).
10. Gundi (*Mallotus philippinensis*).
11. Kusum (*Schleichera trijuga*).
12. Sonari (*Cassia Fistula*).
13. Suam (*Soyimida febrifuga*).
14. Sâl (*Shorea robusta*).
15. Piasal (*Pterocarpus Marsupium*).
16. Sissu (*Daibergia Sisso and D. latifolia*).
- †17. Banyan tree (*Ficus bengalensis*).

(b) Subject to the rules made with the previous sanction of the Governor-General in Council under section 31 of the Forest Act, the following acts are prohibited, namely:—

- (1) The quarrying of stone.
- (2) The burning of lime and charcoal.
- (3) The collection or subjection to any manufacturing process or removal of any forest produce.
- (4) The breaking up or clearing of any land for cultivation, for building, for herding cattle or for any other purpose.

## ‡ II.—KHURDA PROTECTED FORESTS RULES (SECTION 31 AND 41).

The following are the rules for the management of the Protected Forests of the Government Estate of Khurda in Orissa:—

1. The Khurda Protected Forests shall be under the management of the Officer in charge of the Puri Forest Division, acting under the orders of the Collector of Puri.

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\* Vide Notification No. 1951For., dated the 16th May 1892.

† " " " 5140For., dated the 19th November 1894.

‡ " " " 5101For., dated the 16th December 1895.

2. Green trees of the species reserved under section 29 (named in Schedule A below) may not be felled, cut, lopped, or in any way injured, without the written permission of the Collector of Puri in each case, and such permission will only be given in behalf of some public object. The material yielded by the operation can be disposed of as the Collector may decide, but all revenue realized from this source must be credited to the Forest Department.

3. All trees and timber not belonging to the classes reserved under section 29 have been set aside for the use of the raiyats and other residents of the estate, and may not be felled, cut, collected or removed, except as provided in these rules.

4. No trees of whatever species, whether especially reserved under section 29 or not, growing on the banks of any tank, or within eighty feet from the centre of any road, shall be cut without the previous sanction of the Collector; nor shall any tree of a species (enumerated in Schedule B,) which ordinarily grows to a greater girth than two feet be felled for any purpose when under that girth at a height of four feet from the ground.

5. Trees of the following species may not be lopped, but may be felled and removed for purposes of house construction and repair, and for the manufacture and repair of household and agricultural implements and furniture:—

1. Karam (*Adina cordifolia*).
2. Gambari (*Gmelina arborea*).
3. Mohaim (*Ailanthus excelsa*).
4. Ohbariana (*Ochrocarpus longifolius*).
5. Bheru (*Chloroxylon Swietenia*).
6. Korong (*Pongamia glabra*).
7. Dhan (*Anogeissus latifolia*).
8. Kongra (*Xylia dolabriformis*).
9. Tinia (*Albizia Lebbek*).
10. Mohin (*Odina Wodier*).
11. Kasi (*Driedelia retusa*).
12. Poonang (*Calophyllum inophyllum*).
13. Bandan (*Eugenia dalbergioides*).
14. Asan (*Terminalia tomentosa*).
15. Bahera (*Terminalia bellerica*).

These trees are not to be cut for firewood, fencing material, or for any other purpose than that

mentioned above, without the Collector's written sanction.

6. Every resident of the Khurda Government estate, and all members of the indigenous tribes of *Savars* and *Bouris*, as also all landless labourers, may, subject to the conditions of rule 5, fell, cut, collect and remove all trees not reserved under section 29, and all dry trees and dry timber of all kinds, excepting *sál* (*Shorea robusta*), *piasal* (*Pterocarpus Marsupium*) and *sissu* (*Dalbergia Sissoo* and *D. retifolia*), and all other forest produce whatever, provided—

(1) that such trees or produce shall not be sold to persons not themselves privileged under these rules to fell or remove them;

\* (i) that by every rent-paying raiyat in the estate payment calculated at the rate of six pias in the rupee on his rent, or at such less rate as may be fixed from time to time by the Local Government, and by all other classes of raiyats or tenure-holders in the estate, a payment calculated at the same rate on the valuation of the land, as determined for the purpose of assessing road-cess thereon, shall be made annually to the Collector of Puri and credited to the Forest Department as forest revenue on account of the general use of the Protected Forests;

(iii) that where the person felling, cutting, collecting or removing trees, timber or forest produce under this rule is a dhobi, potter, blacksmith, or other person following some industry which consumes an unusually large quantity of fuel, such person shall obtain from the Divisional Forest Officer an annual license to be paid for at the rate of one rupee, or such other rate or rates as may be fixed from time to time by the Local Government;

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\* Vide Notification No. 451, dated 28th January 1899.



- (iv) that, while persons privileged under this rule to take forest produce may also graze their cattle, professional graziers of goat's and sheep may only graze such animals in localities to be set aside for the purpose by the Collector of Puri, and all professional graziers shall pay the following grazing fees, or such other fees as may be fixed from time to time by the Local Government:—

Per buffalo (of any age) 8 annas per annum, or for any period of less than a year.

Any other animal (of any age) 4 annas per annum, or for any period of less than a year.

7. (1) In cases where the Collector shall have reported that the raiyats or other residents are improperly destroying the forests, or are wasting or misappropriating produce, or otherwise abusing the privileges allowed them by these rules, or any of them, the Local Government may, by notification in the *Calcutta Gazette*, declare that all or any of the said privileges shall be suspended within any specified area or areas during such term, not exceeding 20 years, as may be specified in that behalf.

(2) The Collector may, notwithstanding any such notification, grant licenses under his hand to any of the raiyats or other residents, exempting the licensees from the operation of the said notification either absolutely or in respect of any particular class or classes of produce, or of produce marked by the departmental mark or indicated in any prescribed manner.

(3) The Local Government may, at any time, alter or cancel any such notification.

8. No land in the Khurda Protected Forests may be cleared or broken up for *toila*, i.e., temporary cultivation, except with the written permission of the Collector of Puri, and then only subject to the condition that trees of the species reserved under section 29 (including stems of any age) may not be felled, lopped, burnt, or in any way injured.

## SCHEDULE A.

LIST OF TREES RESERVED UNDER SECTION 29 OF THE INDIAN FOREST ACT, VII OF 1878.

- |  |  |
|--|--|
| 1. Mango; vernacular Am ( <i>Mangifera indica</i> ).           | 9. Hara ( <i>Terminalia Chebula</i> ).                         |
| 2. Tamarind; vernacular Tentuli ( <i>Tamarindus indica</i> ).  | 10. Gundi ( <i>Mallotus philippinensis</i> ).                  |
| 3. Mohul ( <i>Bassia latifolia</i> ).                          | 11. Kusum ( <i>Schleichera trijuga</i> ).                      |
| 4. Jack; vernacular Panasa ( <i>Artocarpus integrifolia</i> ). | 12. Sonari ( <i>Cassia Fistula</i> ).                          |
| 5. Kuohila ( <i>Strychnos Nuxvomica</i> ).                     | 13. Suam ( <i>Soyunda febrifuga</i> ).                         |
| 6. Nim ( <i>Melia indica</i> ).                                | 14. Sal ( <i>Shorea robusta</i> ).                             |
| 7. Bel ( <i>Ægle Marmelos</i> ).                               | 15. Piasal ( <i>Pterocarpus Marsupium</i> ).                   |
| 8. Kendhu ( <i>Diospyros Melanoxylon</i> ).                    | 16. Sissu ( <i>Dalbergia Sissoo</i> and <i>D. latifolia</i> ). |
|  | 17. Banyan ( <i>Ficus bengalensis</i> ).                       |

## SCHEDULE B.

LIST OF TREES (OTHER THAN THOSE MENTIONED IN SCHEDULE A) WHICH ORDINARILY GROW TO A GREATER GIRTH THAN TWO FEET (vide RULE 4.)

- |  |  |
|--|--|
| 1. Karam ( <i>Adina cordifolia</i> ).              | 23. Jam ( <i>Eugenia jambolana</i> ).            |
| 2. Gambari ( <i>Gmelina arborea</i> ).             | 24. Kumbi ( <i>Careya arborea</i> ).             |
| 3. Mohanim ( <i>Ailanthus excelsa</i> ).           | 25. Phansi ( <i>Anogeissus acuminata</i> ).      |
| 4. Ohhariana ( <i>Ochrocarpus longifolius</i> ).   | 26. Sidha ( <i>Engelstroemia parviflora</i> ).   |
| 5. Bheru ( <i>Chloroxylon Swietenia</i> ).         | 27. Keri Kadam ( <i>Stephygyna parvifolia</i> ). |
| 6. Korong ( <i>Pongamia glabra</i> ).              | 28. Kolrunga ( <i>Gardenia latifolia</i> ).      |
| 7. Dhan ( <i>Anogeissus latifolia</i> ).           | 29. Aohu ( <i>Morinda exserta</i> ).             |
| 8. Kongora ( <i>Xylia dolabriformis</i> ).         | 30. ( <i>Æjiceras corniculata</i> ).             |
| 9. Tinia ( <i>Albizia Lebbek</i> ).                | 31. Ohhatiana ( <i>Alstonia scholaris</i> ).     |
| 10. Mohin ( <i>Odina Wodier</i> ).                 | 32. Kotoko ( <i>Strychnos potatorum</i> ).       |
| 11. Kasi ( <i>Briedelia retusa</i> ).              | 33. Mosonea ( <i>Ehretia laevis</i> ).           |
| 12. Poonang ( <i>Calophyllum inophyllum</i> ).     | 34. Phunphuna ( <i>Crozyllum indicum</i> ).      |
| 13. Bandan ( <i>Eugenia dalbergioides</i> ).       | 35. ( <i>Stereospermum chelonoides</i> ).        |
| 14. Asan ( <i>Terminalia tomentosa</i> ).          | 36. Patli ( <i>Stereospermum suaveolens</i> ).   |
| 15. Bahera ( <i>Terminalia bellerica</i> ).        | 37. Boroputri ( <i>Callicarpa arborea</i> ).     |
| 16. Makar Kandu ( <i>Diospyros Embryopteris</i> ). | 38. Baha Jari ( <i>Ficus retusa</i> ).           |
| 17. Simuri ( <i>Bombax malabaricum</i> ).          | 39. ( <i>Ficus hispida</i> ).                    |
| 18. Lunka-am ( <i>Anacardium occidentale</i> ).    | 40. Danrango ( <i>Ulmus integrifolia</i> ).      |
| 19. Ohara ( <i>Ruchananania latifolia</i> ).       | 41. Onra ( <i>Phyllanthus emblica</i> ).         |
| 20. Kuntiparas ( <i>Butea frondosa</i> ).          |  |
| 21. Ohakundi ( <i>Dalbergia laceolaria</i> ).      |  |
| 22. Khair ( <i>Acacia catechu</i> ).               |  |

## Sambalpur Protected Forests.

### \* I.—RESERVATION OF TREES AND PROHIBITIONS (SECTION 29).

(a) The following species shall be reserved, namely :—

Mango (*Mangifera indica*).  
Tamarind (*Tamarindus indica*).  
Mahua (*Bassia latifolia*).  
Achar (*Buchanania latifolia*).  
Tal (*Borassus flabelliformis*).  
Khejur (*Phoenix Linn.*).  
Bel (*Ægle marmelos*).  
Harra (*Terminalia chebula*).  
Bahera (*Terminalia belerica*).  
Kusum (*Schleichera trifuga*).  
Nim (*Melia indica*).  
Jack (*Artocarpus integrifolia*).  
Tendu (*Diospyros melanoxylon*).  
Jamun (*Eugenia jambolana*).

(b) The following acts shall, subject to any rule made in respect of the said forests under section 31 of the said Act, be prohibited, namely :—

- (1) the quarrying of stone ;
- (2) the burning of lime or charcoal ;
- (3) the collection or subjection to any manufacturing process or removal of any forest produce ;
- (4) the breaking up or clearing for cultivation, for building, for herding cattle, or for any other purpose, any land.

### † II.—SAMBALPUR PROTECTED FOREST RULES (SECTION 31).

In exercise of the powers conferred by section 31 of the Indian Forest Act, 1878 (VII of 1878), and with the sanction of the Governor-General in Council, the Lieutenant-Governor is pleased to

\* *Vide* Notification No. 1813 T.—R., dated the 9th September 1909.

† " " No. 1814 T.—R., dated the 9th September 1909.

make the following rules for the Protected Forests in the district of Sambalpur:—

1. No person shall cut, convert, or remove trees or timber, or collect or remove forest produce, or pasture cattle except as provided by these rules.

2. Subject to the restrictions imposed by rules 6 to 13, any cultivator of the village may do any of the following acts, free of charge, on any waste land within the village boundaries, namely:—

(1) take any forest produce in reasonable quantities for his own private use within the village, but not for sale, gift or barter; and

(2) pasture any cattle which are *bond fide* his own property, or are in his charge for the purposes of his own cultivation:

Provided as follows:—

(a) before any timber is cut from any area which has been set apart as a village forest reserve the permission of the village Panchayat shall be obtained, both as regards species and amount;

(b) no trees growing on a village site shall be cut green without the permission of the Panchayat.

3. The Panchayat may authorize any non-cultivator resident in the village to take any forest produce, subject to the conditions prescribed in these rules in the case of cultivators.

4. The Deputy Commissioner may permit any person to remove forest produce free of charge for a public purpose, and may permit any cultivator of a village to remove forest produce to another village for his own private use, but not for sale, gift or barter:

Provided as follows:—

(1) before the grant of any such permission, the Panchayat of the village from which the forest produce is to be taken shall be given an opportunity of objecting, and their objection (if any) shall be considered;

(2) a pass shall be issued in each case showing—

- (a) the nature and amount of forest produce;
  - (b) the villages from and to which it is to be removed;
  - (c) the period for which the pass is current;
- (3) a copy of each pass issued shall be forwarded forthwith to the Divisional Forest Officer.

5. (1) Any land which has not been recorded in the village papers as village forest or fodder reserve may be cleared or broken up for cultivation, for building, or for any other purpose in accordance with the conditions of the *wajib-ul-arz*.

(2) The person clearing such land may cut self-sown trees of any reserved species whose girth at 4 feet from the ground is less than 2 feet, excepting mango (*Mangifera indica*), mahua (*Bassia latifolia*) and kusum (*Schleichera trijuga*), and may cut seedlings of any reserved species of less than two years' growth; and shall be entitled to take for his own private use, within the village, but not for sale, gift or barter, all reserved trees so cut and any other trees which he may find it necessary to fell in course of such clearing, but shall be bound by the restrictions imposed by rule 6.

(3) Any such trees which are not required by such person shall be distributed by the Panchayat to such residents of the village as may require them for their own private use, but not for sale, gift or barter.

6. Except with the written permission of the Deputy Commissioner, no tree shall be cut within a distance of 20 yards on either bank of a stream or *nala* in which water ordinarily remains until the month of January.

7. Any person who fells a green tree under these rules shall cause the same to be cut as nearly level with the ground as may be possible.

8. Any person may lop, for the collection of *lac*, any green tree of a species reserved under section 29 of the Indian Forest Act, 1878, provided the branch cut is not over 9 inches in girth.

9. In cutting bamboos, all culms of less than two years' growth must be kept in the clump.

10. The digging up of roots is prohibited:

Provided that such roots of the *palas* (*Butea frondosa*) as are not over 9 inches in girth may be dug up for fibre if the person digging them up fills in the holes so as not to leave the remaining roots exposed.

11. No person who is authorized by these rules to cut, convert or remove trees, timber or other forest produce shall injure or wastefully use any tree, whether in the course of collecting forest produce or in any other way:

Provided that this prohibition shall not extend to the lopping of trees for the collection of *lac* by the residents of the village in which they stand.

12. No person shall use fire in the collection of forest produce, whether for the improvement of pasturage land or for any other purpose.

13. Nothing in these rules shall authorize any person to cut, convert or remove any tree, timber or forest produce from any land in the direct occupation of the Government or of the District Council as roads, camping-ground or otherwise, or shall limit the rights of persons as recognized by the *wajib-ul-arz* over trees planted by them; and nothing in rules 7 to 12 shall apply to land which is being cleared for cultivation or other purposes in accordance with rule 5.

I.—The following trees growing on forest and waste lands in khalsa-goantiahi villages in the district of Sambalpur shall not be cut without the permission of the Deputy Commissioner:—

Mango (*Mangifera indica*).  
 Tamarind (*Tamarindus indica*).  
 Mahua (*Bassia latifolia*).  
 Achar (*Buchanania latifolia*).  
 Tal (*Borassus flabelliformis*).

Khejur (*Phoenix Linn.*).  
 Bel (*Egle marmelos*).  
 Harra (*Terminalia chebula*).  
 Babera (*Terminalia belerica*).  
 Kusum (*Schleichera trijuga*).  
 Nim (*Melia indica*).  
 Jack (*Artocarpus integrifolia*).  
 Tendu (*Diospyros melanoxylon*).  
 Jamun (*Eugenia jambolana*).

II.—Subject to the preceding rule, all members of the proprietary body may cut or may permit other persons to cut forest produce growing on culturable land in their mahals, other than land which has been set apart as a village forest reserve either at the time of settlement or subsequently by a written order of the Deputy Commissioner, in order to clear the land for cultivation :

Provided that this rule shall not apply to—

- (i) any self-sown trees of any species other than mango (*Mangifera indica*), mahua (*Bassia latifolia*), and kusum (*Schleichera trijuga*) whose girth at 4 feet from the ground is less than 2 feet, excepting mango, mahua and kusum; and
- (ii) all seedlings of any species of less than two years' growth which may be cut for the purpose specified in rule II.

The forest produce so cut may be taken by the person cutting it for his own private use within the village, but not for sale, gift or barter. Any such forest produce which is not required by him shall be distributed by the Panchayat to such residents of the village as may require it for use in like manner.

III.—The cutting of forest produce growing on culturable land not required for cultivation and the cutting of forest produce growing on unculturable land, that is to say land which in the judgment of the Deputy Commissioner is to be classed as unculturable Bhatna, Barra, Bardi, Bhata or Pathar,

shall be limited by the following conditions, in addition to those laid down in Rule I :—

- (1) In cutting timber trees, seed-bearing trees must be left at the rate of not less than 30 per acre of the principal kinds cut, and the number of trees of all kinds left growing must not be less than 90 per acre, which number should be equally distributed throughout the area over which the cutting was effected.
- (2) In cutting timber and brushwood, the cutting must be effected flush with the ground, so as to encourage reproduction by shoots from the stool.
- (3) In cutting bamboos, all culms of less than two years' growth must be left in the clump.
- (4) The digging up of roots is prohibited, except in the case of the palas, the roots of which may be dug up for fibre, provided that at least one-third of the roots are left to each tree to continue its growth.
- (5) No cutting shall, without the permission of the Deputy Commissioner, be effected within a distance of 20 yards (or 40 *haths*) of either bank of a stream or *nala* in which water ordinarily remains till the month of January.
- (6) The ringing of *sdl* trees for resin, so as to sever the bark round the entire circumference, is prohibited.

IV.—No member of the proprietary body of the mahal shall remove, or cause to be removed, for sale, gift or barter, any forest produce; nor shall he, save with the previous sanction of the Deputy Commissioner and in the manner and to the extent permitted thereby, remove any forest produce or cause it to be removed for conveyance or use outside the village area.



V.—Leaves, grass and dead-wood may at all times without any permission be removed by people entitled to do so.

VI.—The cutting of timber, bamboos or brush-wood for domestic consumption (*nistar*) will ordinarily be allowed without express permission; but the Deputy Commissioner may limit such cutting for *nistar*, if he considers a limitation necessary for the preservation of the forest.

VII.—(i) If any person commits a breach of any rules, II, III and IV, he shall be liable to a penalty which may extend to Rs. 200.

(ii) If any person continues to commit a breach of any of the rules II, III and IV, he shall be liable to a penalty which may extend to Rs. 50 for each day during which such breach continues.

### \* III.—FOREST LAND AND WASTE LAND NOT INCLUDED IN A RESERVED FOREST (SECTION 28).

The provisions of Chapter IV of the Indian Forest Act, VII of 1878, is applicable to all forest land and waste land in the Sambalpur district which are not included in a Reserved Forest but which are the property of the Government or over which the Government has proprietary rights.

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\* 1746 Notification No. 1813 T.—II., dated the 6th September 1902.

## (10) Sonthal Parganas Protected Forests.

I.—RESERVATION OF TREES AND PROHIBITIONS  
(SECTION 29).

(i) The following species of trees in the "Protected Forests" in the district of the Sonthal Parganas in the Bhagalpur Division are reserved, namely :—

1. Sál (*Shorea robusta*).
2. Satsal (*Dalbergia latifolia*).
3. Kusum or Baru (*Schleichera trijuga*).
4. Kohwa (*Terminalia arjuna*).
5. Gamhar Kasmar (*Gmelina arborea*).
6. Murga (*Pterocarpus Marsupium*).
7. Nim (*Melia indica*).
8. Mango, am, Ul (*Mangifera indica*).
9. Tamarind, tetul or jojo (*Tamarindus indica*).
10. Jam or Kod (*Eugenia jambolana*).
11. Ebony, Kendh, or tirel (*Diospyros Melanoxylon*).
12. Mahua, mothom (*Bassia latifolia*).
13. Hog-plum, umra or amra (*Spondias mangifera*).
14. Rola (*Terminalia Chibula*).
15. The Jack-tree, kanthal or kathal (*Artocarpus integrifolia*).
16. Asan (*Terminalia tomentosa*).
17. Hesel (*Anogeissus latifolia*).
18. Tilai (*Wendlandia tinctoria*).
19. Horo (*Wendlandia exserta*).
20. Murup (Palas) (*Buloe frondosa*).
21. Sagwan (Teak) (*Tectona grandis*).
22. Sissu (*Dalbergia Sissoo*).
23. Tal (*Brassia flabelliformis*).

(ii) Subject to the rules made under section 31 of the Act the following acts are prohibited, namely :—

- (1) The quarrying of stone.
- (2) The burning of lime and charcoal.
- (3) The collection or subjection to any manufacturing process, or removal of any forest produce.
- (4) The breaking up or clearing for cultivation, for building, for herding cattle, or for any other purpose in any land.

\* *Vide* Notifications Nos 4845 For., and 3900 For., dated the 2nd November 1894 and 13th December 1900.

\* II.—SONTHAL PARGANAS PROTECTED FOREST RULES  
(SECTIONS 31 AND 41).

The following are the rules for the management of the protected forests in the Sonthal Parganas :—

1. All *bond fide* cultivators of Government land in the district may, free of charge, fell, convert, and remove to their homes for their own private use only—

(i) all trees and timber of the species not reserved, and all other forest produce whatsoever within the areas from which, by custom or by special orders, they are entitled to be supplied: and

(ii) on prepayment of a royalty equivalent to half the current rates paid by other purchasers and with the written permission of the Forest Officer, trees and timber of the reserved species within the same area:

provided that when the cultivator felling, cutting, collecting, or removing trees, timber or other forest produce under sub-clause (i) of this rule is a potter, blacksmith or other person following some industry for which a regular supply of fuel is necessary, such person shall obtain from the Forest Officer an annual license to be paid for at the rate of one rupee or such other rate as may be fixed from time to time by the Local Government.

2. Paharia raiyats may cut or fell, convert, collect and remove, and such other persons as the Deputy Commissioner may, from time to time, authorise in this behalf in writing, may cut or fell, convert, collect and remove, or cause to be cut, felled, converted, collected or removed by such agency as the Deputy Commissioner may, from time to time, authorise in this behalf in writing for the purpose of sale or barter any trees, timber or other forest produce, subject to the following conditions:—

(a) green trees and timber of the reserved species shall not be felled, converted or removed, except with the permission of the Forest Officer;

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\* *Vide* Notification No. 242 For., dated the 10th January 1901.

- (b) if the Deputy Commissioner, being of opinion that the supply of any kind of forest produce is not more than sufficient to meet local requirements, shall, by order in writing, prohibit the removal of such produce, beyond the limits of any special locality, such forest produce shall not be removed beyond such locality; and
- (c) all timber and other forest produce cut, felled, converted or collected under this rule shall, in the first instance, between the hours of sunrise and sunset on the days fixed, be conveyed to the nearest authorised hât for such produce, and shall be deposited in such place as may be there appointed by the Forest Officer, whence it shall not be removed by the purchaser, except with the permission of the Forest Officer and after prepayment to him of the royalty due thereon.

3. No person, other than a person specified in rules 1 and 2, or in contravention of the conditions prescribed therein, and in rule 4, may cut, fell, convert, collect or remove, or cause to be cut, felled, converted, collected or removed, any trees, timber or other forest produce.

4. No person shall—

- (a) cut the stem of any standing tree at a height exceeding 12 inches from the ground;
- (b) cut up into fuel or fencing material, or otherwise damage the value of any wood of the reserved species which could be more profitably used;
- (c) injure any tree of the reserved species;
- (d) manufacture charcoal, except in localities previously approved by the Forest Officer;
- (e) hunt, shoot or fish in contravention of the rules on this subject for the time being in force in the protected forests in Bengal.

5. The number and location of the authorised hâts, as well as the scale of royalties which shall be there levied for forest produce, shall be fixed,

from time to time, by the Deputy Commissioner, in consultation with the Conservator of Forests, under such rules as the Local Government may lay down.

6. *Bonâ fide* cultivators of Government land in the district may graze, free of charge, the cattle kept by them for their own household and agricultural requirements, on any forest land within the areas in which, by custom or special order, they are entitled to graze their cattle; the grazing of all other cattle is prohibited, provided that cattle which are the property of residents other than cultivators of the Government estate in the district, and which, in the opinion of the Deputy Commissioner, are necessary for local requirements, may be allowed to graze in the protected forests within such limits as may be prescribed by the Forest Officer, after payment of the grazing fees or such other fees as may be fixed, from time to time, by the Local Government.

Goats and sheep shall not be pastured, except in areas set apart for that purpose, provided that when, in any locality, it is found impracticable, for want of a sufficiency of waste land, to set apart a particular area for this purpose, the Deputy Commissioner may, after consultation with the Forest Officer, permit such pasturing generally in such locality, except such parts, if any, thereof as it may be considered essential to maintain clothed with trees or bushes.

7. Jhooming (locally known as karwa) may continue to be practised by all Paharia raiyats of Government lands in the district, who are, at the time of this notification, lawfully practising this method of cultivation, subject, nevertheless, to the following restrictions:—

- (a) The Deputy Commissioner may except from this method of cultivation any specified area if more suitable provision for the people can be obtained elsewhere, and in such case jhooming shall cease to be practised on such excepted lands, and shall thenceforth be restricted to the substituted land.
- (b) Wood cut in process of jhooming shall not be sold or bartered, except after compliance with the conditions of rule 2.

- (c) In the case of the wood of the reserved species, it shall not be removed from the jhooms until marked by the Forest Officer.
- (d) Trees of over two feet in girth, measured at four feet from the ground, shall not be cut without the written permission of the Forest Officer.

*Explanation.*—The term “jhooming,” as used in this rule, means the system of cultivation which consists in felling the forest on a selected area, burning the cut material, and sowing one or two crops in the ashes, and then, after reaping leaving the area to lie fallow for a number of years before recultivation.

8. No land shall be cleared or broken up for a public work, or for permanent cultivation, except with the written permission, in each case, of the Deputy Commissioner.

9. These rules are made subject to the provision and conditions of any settlement made, or hereafter to be made, under the Sonthal Parganas Settlement Regulation, 1872 (III of 1872) or any other law for the settlement of land for the time being in force in Sonthal Parganas.

**(11) Sundarbans Protected Forests.****\* I.—CULTIVATION [SECTION 29 (c)].**

On and from the 14th day of January 1880, the breaking up or clearing for cultivation or for any other purpose of any land in the Protected Forests of the Sundarbans by any persons except persons to whom a written lease of such land has been granted by or under the authority of the Government, is prohibited.

**\* II.—RULES FOR PROTECTED FOREST (SECTION 31).**

Cutting,  
etc., of  
trees, timber,  
forest  
produce,  
without  
permit or  
license  
prohibited,

I.—No person shall cut, saw, collect, convert or remove any tree or timber or any other forest produce in the Protected Forests in the Sundarbans of the 24 Pargannas district without a permit or license.

Issue of,  
and charges  
for, permits  
or licenses.

† II.—A permit or license authorizing the holder to cut, saw, convert or remove the forest produce specified therein for his own use or for trading purposes may be obtained from the officer in charge of any Forest Revenue Station, authorized by the Conservator of Forests in Bengal to issue such permits or licenses on payment of such charges as may be notified by the Local Government from time to time. A list of such Forest Revenue Stations shall be placed in a prominent position in each such Revenue Station and in the District and Divisional Forest Offices, Khulna:—

**Charges. ‡****(a) Logs—**

Timber in pieces measuring 3 feet and upwards at the thick end shall be classed as logs and charged for as follows:—

Amoor	...	One anna per running foot.
Other kinds	...	One-half anna per running foot, provided that the minimum charge for any Keora log shall be 6 annas.

\* *Vide* Notification No. 2810For., dated the 8th November 1906.

† " " No. 2697For., dated the 9th August 1909.

‡ " " No. 2016For., dated the 17th September 1909.

(b) Poles, fuel and other forest produce, except wax and honey—

(i) Poles, being pieces under 3 feet in girth and 8 feet or over in length—

Rs. A.

Amur or Goran	...	1	6	for each 25 maunds,
Other kinds	...	0	13	ditto.

(ii) Fuel, being pieces under 3 feet in girth and under 8 feet in length—

Rs. A.

Amur or Goran	...	1	4	for each 25 maunds.
Other kinds	...	0	8	ditto.

(iii) Other forest produce, except wax or honey.

Other forest produce, except wax or honey.	...	0	8	for each 25 maunds.
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(c) Wax ... 4 0 per maund.

(d) Honey ... 1 8 ditto.

*Explanation I.*—The maunds on which the abovementioned payments are to be calculated are maunds by boat measurement, which shall be estimated in accordance with the rules contained in Notification No. 1840, dated the 25th August 1906.

*Explanation II.*—In Notification No. 2820 (Forests) of the 8th November 1906, Sundri and Passur were declared to be reserved trees in the Protected Forests of the Sundarbans of the 24-Parganas district.

\*III.—Every person who obtains a permit or license under these rules shall be bound to observe any rules that have been notified or may hereafter be notified under section 41 of the Indian Forest Act (VII of 1878), as amended by Act V of 1890, for the control of the transit of timber and other forest produce in the Sundarbans Forest Division, Observance of transit rules.

The following charge† for logs, poles and fuel of Sundri (*Heritiera minor*, Buch.) and Passur (*Carapa moluccensis*, Lam.), shall be levied in addition to those published under Notification No. 2819 For., dated the 8th November 1906, on all forest produce

\* *Vide* Notification No. 2819 For., dated the 8th November 1906.

† " " No. 2820 For., dated the 8th November 1906.



exported from lands *leased* under the Rules of 1879 for the lease of Waste Lands in the Sundarbans :—

	Rs.	A.
Logs, <i>i.e.</i> , pieces over 3 feet in girth at the thick end	0	1 per running foot.
Poles, <i>i.e.</i> , pieces less than 3 feet in girth at the thick end and over 8 feet in length ...	1	12 per 25 maunds by boat measurement.
Fuel, <i>i.e.</i> , other pieces ...	1	5 ditto.

### \*III.—RESERVATION OF TREES.

The following species of the trees in the Protected Forests in the Sundarbans of the 24-Parganas district are reserved, namely:—

Sundri (*Heritiera minor*, Buch.).

Passur (*Carapa moluccensis*, Lam.).

### LIST OF REVENUE STATIONS.

The Conservator of Forests has authorized† all Revenue Station Officers to issue permits or licenses for the cutting, sawing, collection and removal of forest produce from the Protected Forests in the Sundarbans of the 24-Parganas district, and to levy the charges prescribed in the Bengal Government Notification No. 2820 For., dated the 8th November 1906, on all forest produce exported from lands in the same district *leased* under the Rules of 1879 for the lease of Waste Lands in the Sundarbans.

The following is a list of the Revenue Stations referred to in Rule II of the above Rules:—

Name of Revenue Station.	Situation.
Sahabbali	... Junction of Kanaykuti khal and Roymongal river.
Rampura	... " of Gotihara gang and Barocal-gatchya river
Bashonti	... " of Hooghly nadi and Kartal khal.
Cooltolla	... " of Cooltolla and Harvajee khal.
Shikarpur	... " of Shikarpur khal and Mooriganga river.
Khagdip	... " of Khagdip khal and Ghibati gang.
Nolkora	... " of Raidiggee and Moonee khals.

\*Vide Notification No. 2820 For., dated the 8th November 1906,

† " " No. 2819 For., dated the 8th November 1906,

2. He has also authorized, under Rule IV of the Rules published in Notification No. 2821 For. in the *Calcutta Gazette* dated the 8th November 1906, for the control of the transit of timber and of other forest produce in the Sunderbans Forest Division, the Officers in Charge of the above-mentioned Revenue or Checking Stations and of Revenue Stations described below to issue permits, right-of-way passes and certificates, viz.—

Name of Revenue or Checking Station.		Situation.
Sarankhola	...	Junction of Sarankhola khal and Bhola river;
Dhansagore	...	of Dhansagorekhal and Bhola river;
Jewdhara	...	of Jewdhara khal and Bhola river;
Chandpie	...	of Chilla Chandpie and Kharma nadia;
Shella	...	of Dhangmari khal and Passur river;
Dacope	...	of Shutar khal and Bhudder river;
Dhaki	...	of Nolian khal and Sipsa river;
Baniakbali	...	of Bania Hudda and Moisalur khals;
Casseabad	...	of Hogla khal and Shabaria river;
Cobaduk	...	of Shingar khal and Arpangasia river;
Burigoalair	...	of Chuargang and Golputto river;
Kadomtola (Lot 165)	...	of Alooa and Kadomtola river;
Koikhali (Lot 164)	...	of the Katakhal between Jaboona and Kalindi rivers;

and to levy the charges prescribed in Bengal Government Notification No. 2820 For., dated the 8th November 1906, on all forest produce exported from lands in the Khulna district leased under the Rules of 1879 for the lease of Waste Lands in the Sunderbans.

3. No Officer in Charge of any Revenue Checking Station named in paragraph 2, with the exception of Koikhali, is authorized to issue permits under Rule II of Notification No. 2819 For., dated the 8th November 1906, regarding the Protected Forests; and no Officer in Charge of any station mentioned in the first statement is authorized to issue permits for the cutting, collection and removal of forest produce from the Reserved Forests.

4. He has also, under the same rule, authorized the Officer in Charge of the next-mentioned Revenue Station to issue permits and certificates for *goran* poles to the owners or occupiers of boats from the Chittagong district and for honey and wax to the owners and occupiers of any other boats for use in the Reserved Forests.

Name of Revenue Station.	Situation.
Supoti	... On the left bank on the Supoti river, near junction of Supoti or Baraborin' river with Pancassia or Dhumal river, the junction being locally known as Jatmohona.

5. For the purposes of Rule IX of the same Notification, the Officers in Charge of the abovementioned Revenue and Checking Stations and of the undermentioned Chocking Stations—

Name of Checking Station.	Situation.
Rhulna	... Junction of Bhyrab and Passur rivers;
Matla	... Near Canning railway station on Matla river;
Bssrah	... On the Bidyadhari river, near Ghutyari Sharif railway station of the Eastern Bengal State Railway;
Narkeldanga	... No. 8, Talpukur Road, Soora Baliaghatta (Calcutta);

are authorized to register boats, to levy the registration fees and issue certificates prescribed in Bengal Government Notification No. 1840 T.—R., dated the 25th October 1906. Notice dated 1st February 1907 is hereby cancelled.

## (12) Sundarbans River Rules.

## I.—TRANSPORT OF TIMBER

\* RULES FOR THE CONTROL OF THE TRANSIT OF  
TIMBER AND OTHER FOREST PRODUCE IN THE SENDER-  
BANS FOREST DIVISION (SECTIONS 31 AND 41).

I.—No person shall cut or convert any timber in any Reserved or Protected Forest in the Sundarbans of the Khulna and 24-Parganas districts without a pass or otherwise than in accordance with the conditions entered on such pass obtained as provided in Rule IV.

Prohibition  
against cut-  
ting or con-  
verting tim-  
ber without  
passes.

II.—The transit of forest produce in any forest described in Rule I or in any waterway intersecting or skirting such forest or any land leased under the Rules for the lease of waste lands in the Sundarbans of the Khulna and 24-Parganas districts or through any part of the said forests without a pass, or otherwise than in accordance with the conditions entered on such pass, obtained as prescribed in Rule IV, is prohibited.

Prohibition  
of transit  
without pass.

III.—Every person who cuts or converts any timber in any forest described in Rule I or transports any forest produce in any river or waterway or in any forest described in Rule II shall immediately produce his pass when called upon by any Forest or Police Officer to do so, and permit the said officer to examine the produce, by measurement if necessary.

Production  
of passes.

IV.—Every pass referred to in Rules I and II shall be in the form either of a permit or of a right-of-way pass or of a certificate, in accordance with the Forms given in Appendix F, and shall be obtained from an officer in charge of a Forest Revenue or a Checking Station authorised by the Conservator of Forests in Bengal to issue such passes. The names of the Forest Revenue or Checking Stations, the officers in charge of which so authorized are to issue permits, right-of-way passes or certificate shall be placed in a prominent position in each Forest Revenue or Checking Station and in the Divisional Forest and District Offices, Khulna.

Form and  
issue of  
passes.

\* Vide Notification No. 2821For., dated 8th November 1906.

Rights under permit.

V.—The pass issued shall be in the form of a permit when the applicant wishes to cut or remove forest produce in or from the said Reserved or Protected Forests or leased lands. A permit shall only authorize the cutting and removal of the forest produce specified from the locality described therein and its transit to the depôt specified on the pass for its examination, where the permit shall be surrendered on or before the date of expiry entered therein.

Rights under right-of-way pass.

VI.—The pass issued shall be in the form (Appendix H) of a right-of-way pass when the applicant wishes to transport forest produce from outside the said Reserved or Protected Forest or leased lands and waterway described in Rule II. A right-way pass shall only authorise the transit of the forest produce specified to the depôt mentioned therein for its examination.

Certificates on surrender of permit or right-of-way pass.

VII.—A pass in one or other of the forms given in Appendix H for a certificate shall be issued in exchange for a permit or a right-of-way pass when the latter has been surrendered and the forest produce collected under it has been examined in the appointed depôt.

Conditions precedent to issue of permits, right-of-way passes and certificates.

VIII.—No permit shall be issued till the estimated value of the forest produce which the permit-holder is authorized to cut, collect and transport, calculated at the rate in force for the time being, has been paid in full, and no right-of-way pass shall be issued till the fee due in accordance with the schedule of right-of-way pass fees ordered by the Conservator of Forests in Bengal has been paid: Provided that this fee shall in no case exceed a rate of two pies per maund of boat capacity. No certificate shall be issued till any balance of the price or fee due for the produce in respect of which the certificate is required has been paid in full.

Registration of boats.

IX.—No forest produce shall be brought to, or removed from, any depôt in the Sundarbans Forest Division except in a boat which has been registered by an officer in charge of a Forest Revenue or Checking Station described in Rule IV, or under any other Rules or Act for the time being in force and which bears its registered number and marks on a conspicuous place on its bows.

X.—For the purposes of Rules V, VI, VII and IX all Forest Revenue or Checking Stations in the Sundarbans Division shall be deemed to be depôts.

XI.—Any person who desires to transport any forest produce from lands leased under the rules in force for the lease of waste lands in the Sundarbans through any of the water-channels described in Rule II shall hold a printed license, duly filled up in accordance with the sample form to be obtained from the officer in charge of the Sundarbans Forest Division at Khulna, signed either by the lessee himself or by an authorized and recognized agent of the lessee, whose signature and residence must be recorded in the office of the said officer at Khulna. The printed license so filled up shall be produced by the holder for inspection when he is called upon to do by any Forest or Police Officer.

\* XII.—Any person who moves forest produce from one boat to another or lands forest produce from any boat in, or on the bank of, any river or waterway in the districts of Khulna, Jessore and 24-Parganas, shall permit any Forest or Police Officer to examine such produce, and, if so ordered by any Forest or Police Officer, shall desist from such moving or landing between sunset and sunrise.

XIII.—No person shall transport any piece of *Sundri* or *Passur* timber which does not bear the Forest Department transit or sale mark by river or by land in any part of the Khulna, Jessore and 24-Parganas districts without the permission in writing of a Forest Officer employed in the Sundarbans Division not below the rank of Extra Assistant Conservator of Forests.

XIV.—The above rules shall not be held to apply to any trees or the produce of any trees or plants which do not grow in the Sundarbans or the 24-Parganas and Khulna districts.

XV.—Any person who infringes any of these rules shall be punished with imprisonment for a term which may extend to six months, or with fine not exceeding Rs. 500, or with both.

\*N.B.—Except in Calcutta, where an officer is kept for the purpose, powers should not be exercised under this rule except by the Divisional Forest Officer or his Gazetted Assistant or by Subordinates especially empowered by him for a limited time in each case. The Police should not ordinarily interfere unless an offence is reported to them or they are asked for help by a Forest Officer.

(Government Order No. 3158, dated 6th December 1906.)

## \* III.—MEASUREMENT AND REGISTRATION OF BOATS.

Mode of  
reckoning  
maundage.

I.—The maundage or maund capacity of every boat shall be equal to the product of half its length multiplied by its breadth, multiplied by its depth.

Measure-  
ment of  
empty boats.

II.—In the case of an empty boat—

(a) The length shall be measured in feet between inner edges of the bow and stern guras, fractions of a foot being neglected

(b) The breadth shall be measured in feet and completed quarters of a foot between the inner edges of the boat alongside the gura over the deepest part of the boat, fractions of less than a quarter of a foot being neglected.

(c) The depth shall be measured in feet and completed quarters of a foot between the lower edge of the gura over the deepest part of the boat and the inner surface of the bottom of the boat, fractions of less than a quarter of a foot being neglected.

Measure-  
ment of  
loaded boats.

III.—In the case of loaded boats if the outer ends of the measured gura are under water, the depth shall be taken from the water line to the bottom of the boat; otherwise measurement shall be taken as for an empty boat.

Fractions.

IV.—Fractions of 25 maunds shall be neglected if the capacity of the boat is less than 1,000 maunds and fractions of 100 maunds shall be neglected if the capacity of the boat is over 1,000 maunds.

Fees for  
registration.

V.—For the registration of any boat the following fees shall be paid in advance to the Revenue or Checking Station Officer who is asked to register, viz:—

	Rs.	1
For each boat of 25 maunds capacity or less	0	2
Ditto over 25, but not over 100 maunds capacity	0	4
Ditto over 100, but not over 1,000 maunds capacity	0	8
Ditto over 1,000 maunds capacity	1	0

Certificate  
of registra-  
tion.

VI.—On payment of such fee the applicant shall be entitled to receive a certificate of registration in the form appended and to have the registration number and marks of his boat painted thereon.

Duration of  
registration.

VII.—Each registration shall hold good for a period of two years from the 1st July preceeding the date of registration.

## FORM OF CERTIFICATE OF REGISTRATION.

Book No.....Certificate No.....Certified that.....  
son of.....caste.....inhabitant of..... in the  
.....thana of.....district, has this day registered boat No .....  
of which the length is.....feet, of which the breadth is .....feet,.....  
inches, of which the depth is.....foot.....inches. Maund capacity is  
.....maunds.

Station from which issued.....

Date of issue.....

Date up to which registration will hold good.....19 ..

Registration number and marks { Registration depot letter.  
Registration number.  
Year mark.

.....  
Officer in charge,  
.....Station.

\* Vide Notification No. 1640, dated the 25th August 1906.

### (13) Sundarbans Drift Rules.

#### \* I.—AREAS IN WHICH UNMARKED WOOD IS THE PROPERTY OF GOVERNMENT (SECTION 45).

The following are the areas within which all unmarked wood and timber are the property of Government unless and until any person establishes his right and title thereto under the provisions of the Indian Forest Act, 1878, and the rules made under it:—

The seashore and the rivers and creeks in the districts of the 24 Parganas and Jessore, so far as they are included within the boundary of the reserved and protected forests of the Sundarbans.

#### II.—RULES FOR THE COLLECTION AND DISPOSAL OF DRIFT WOOD (SECTION 51).

1. All words used in these rules and defined in Act VII of 1878 (the Indian Forest Act, 1878) shall be deemed to have the meanings respectively attributed to them by the said Act.

And in these rules 'Drift Timber' shall mean timber of the descriptions mentioned in section 45 of the said Act.

2. Any person who, within the area of the Sundarbans to which section 45 of the Act has been extended by the Government Notification of the 3rd November 1879, published in the *Calcutta Gazette* of the 19th idem, wishes to salve drift timber, shall apply to the officer in charge of the Sundarbans Forest Division for a written permit specifying the nature of the timber which he wishes to salve, and shall register the boat or boats to be used in salving.

Every boat so registered shall have conspicuously painted on it its register number, the date of registration, and a letter indicating the revenue station at which such boat was registered. A fee of Rs. 5 shall be levied for each boat for the first registration, and a fee of one-half this amount for every subsequent registration. Every registration shall hold good for one year from the date thereof. Provided that if any person shall wish to enter the area defined above for the purpose of

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\* *Vide* Notification, dated the 3rd November 1879.



salving drift timber, the property of himself or of any known owner, a written permit for this special purpose may be granted him by the officer in charge of the Sunderbans Forest Division on payment of a fee of Rs. 2 only; but such person shall be bound by all the conditions regarding the registration and marking of his boats laid down in this rule.

3. All timber salvaged shall be taken, with as little delay as possible, to the nearest drift timber depôt.

4. Nothing in the preceding rules shall be held to prevent any person lawfully plying a boat within the limits of the Sunderbans reserved and protected forests from salvaging any drift timber that he may find.

5. All drift timber salvaged under these rules, which may become vested in Government under section 48 of the Indian Forest Act, shall be sold by auction within such periods and in such manner as the Conservator of Forests may direct.

6. Any person, whether a forest officer or not, who has salvaged any drift timber, shall be entitled to receive as salvage an amount equivalent to 15 per cent. of the estimated value of such drift timber, as adjudged by the Sunderbans Divisional Officer or by any subordinate officer specially authorised by the Conservator of Forests in that behalf—

(a) Provided that any person authorised by permit to salvage drift timber under Rule II shall receive as salvage an amount equivalent to 25 per cent. of the estimated value of the drift timber salvaged by him, such value being adjudged as above provided.

(b) In special cases the Conservator of Forests may increase the amount of salvage to a sum not exceeding 50 per cent. of the estimated value of the drift timber salvaged.

(c) When more persons than one are concerned in salvaging, the amount of salvage shall be paid to them collectively and on their joint receipt.

7. If the drift timber collected shall be shown under section 47 of the Act to be the property of

any person other than Government, such person shall be liable to pay to Government, under section 50 of the Act, the following amounts, namely:—

- (1) the actual amount of salvage paid to the salver;
- (2) the actual cost incurred in moving the timber to the drift depôt;
- (3) such fees as may, from time to time, be fixed, with the sanction of Government, for the storing of timber at such depôt.

8. Any person holding a permit under Rule 2, who makes use of any property mark or device for marking drift timber salved by him, may register the same in the office of the Sundarbans Forest Divisional Officer. The fee to be paid for such registration shall be one rupee for the first year, and eight annas for each annual renewal. A certificate of registration showing the marks registered shall be given on payment of the prescribed fee.

9. Any person who shall infringe any of these rules shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

**(14) Tista Division Grazing Rules.***(Dumsong Subdivision of Darjeeling District).***\* RULES REGULATING GRAZING [SECTION 75(d).]**

1. For the purposes of these rules the forest will be divided into—

1. Lower forest.      |      2. Upper forest.

The lower forest will be composed of the forests along the valley of the Rungpo and Tista, viz, the lower part of the Dumsong, the Kalimpong, the lower part of the Rinkinpong, the Tunang, and the Nuzzeokh, the forest reserves, as well as the forests of the lower hills, including the Tista Chel range, the Sukam block, the northern Tondou, and the lower portions of the Nar and Juldakā forests. The upper forest will contain the remainder of the forest reserved or proposed to be reserved.

2. Grazing in the lower forest will not be permitted except under monthly permits to be obtained from the officer in charge of the range on payment of such fees as the Conservator of Forests may fix from time to time. The localities in which such officer may be authorised to grant permits will be fixed annually in accordance with the instructions contained in paragraph 97† of the Forest Department Code.

3. Grazing in the upper forest will be reserved primarily for cultivators, who are tenants of Government in the Kalimpong subdivision. Any such person who wishes to graze his cattle in the upper forest shall take out a quarterly pass for that purpose on or before the first day in each quarter, at the office of the Divisional Forest Officer, and shall pay for such pass at the following rates :—

		As.
For each buffalo	...	4
„ bullock, cow, pony	...	2
„ sheep or goat	...	1

or at such reduced rates as the Conservator of Forests, with the approval of the Deputy Commissioner, may from time to time prescribe. Persons

\* *Vide* Notification, dated 21st February 1882.

† Section 84 of the F. D. Code, 6th Edition.

who are not residents of the Kalimpong subdivision may be permitted to graze their cattle in these forests on payment of the rates which may from time to time be fixed by the Conservator of Forests.

4. The mandals (33 in number) of the different blocks will be permitted to graze free of charge, in the upper forest, such cattle as are *bona fide* their own personal property. Any of these mandals may apply for permission to the Deputy Commissioner or the Assistant Commissioner of Kalimpong, who will obtain for him from the Divisional Forest Officer the permits for such cattle as he may consider him entitled to graze. In all respects other than the payment of fees, such permits shall be held to be permits granted under Rule 3 of the rules, and the holders shall be bound to carry out all the provisions of these rules. If in any case the Deputy Commissioner or Assistant Commissioner shall consider it necessary to refuse to apply for the permit, he shall be at liberty to do so, and the applicant shall then be entitled to graze his cattle only upon payment of the fees prescribed in Rule III.

5. All such permits shall expire on the last day in each quarter, *viz*, June 30th, September 30th, December 31st, and March 31st, respectively; and permits for portions of a quarter shall be counted as for a whole quarter.

6. The permits shall fix the forest block or compartment in which the privilege of grazing may be exercised, and the block or compartment shall be selected by the Divisional Officer with due regard to the convenience of the permit-holder, provided that at least one-half the area of the upper forest shall always be made available for such grazing.

7. The construction of grazing camps, enclosures, or *bathans* shall be permitted in such blocks or compartments as may be permanently set apart for that purpose by the Subdivisional Forest Officer. For the construction of such grazing camps, enclosures, or *bathans*, permit-holders may utilise such dead and dry wood as may be found in the vicinity, and, with the permission of the Forest Officer previously obtained, canes and bamboos. Should sufficient dry wood not be available, the

Divisional Forest Officer or his subordinates may allow trees of the less valuable kinds, of less girth than 18 inches, to be cut on payment of a fee of six pice for each tree so cut. No charge shall be made for canes, bamboo, or dry wood.

8. The cutting of sapling and topping of the branches of trees is prohibited. This rule should not be held to apply to bamboo or the small species of *Acacia* (*Croton*).

9. Any person in charge of cattle grazing under a permit shall be bound to keep his permit ready for inspection, and to show it, on demand, to any Forest Officer visiting the *taluk*.

10. All permits, on the expiry of the term for which they are granted, must be returned to the office of issue.

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## CHAPTER III. SUBSIDIARY RULES.

### (1) Fire Protection Rules.

\* RULES FOR THE DARJEELING, HAZARIBAGH, PALAMAU, PURI, SAMBALPORE AND SINGHBHUM DISTRICTS AND THE GOVERNMENT ESTATE OF ANGUL [SECTION 75 (d)].

These rules apply as follows :—

In Darjeeling from 1st November to 1st June.

In Hazaribagh, Palamau, Ranchi and Singhbhum from 1st January to 1st July. In Angul and Puri from 1st January to 1st June. † In Sambalpore from 1st January to 30th June.

1. Any person living in the vicinity of a Government forest reserve, or occupying or using land in such vicinity, and desirous of clearing by fire any standing forest or grass land near that reserve, in a locality from which such fire would be likely to endanger the reserve, shall observe the following rules:

(1) He shall give notice of at least one week to the nearest officer, ranger or forester, of his intention.

(2) He shall clear a belt of land at least 20 feet broad on the side of the land he proposes to burn nearest to the forest reserve.

(3) He shall choose for such burning a day or time when a high wind is not blowing.

(4) He shall light the fire in a direction contrary to the prevailing wind.

2. Any such person desirous of burning, on land adjoining a forest reserve, wood, grass or weeds, or other cut material, shall collect that material into heaps, and burn it separately in such a way that the fire may not endanger the forest reserve.

3. Any person collecting inflammable forest produce, such as grass and bamboos, on land adjoining a forest reserve, and any holder of a permit

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\* *Vide* Notifications, dated 11th December 1880, 8rd December 1881, 5th June 1885, 9th April 1891; also Notification No. 1737For., dated 3rd May 1892, and No. 206For., dated 15th January 1895.

† *Vide* Notification No. 3953For., dated 2th December 1907.

to collect such materials from the forest reserve, shall stack the material so collected in an open space, as far removed as possible from the forest.

1. All persons travelling on roads passing through or along the boundary of a forest reserve shall camp only at such places as may be cleared and set apart for the purpose of camping-grounds by the Forest Officer, who shall yearly publish a list of such grounds in the vicinity of the reserve. Camping at other localities than those so set apart is forbidden, and all persons so camping shall light any fires they may make for cooking or other purposes in such a way as not to endanger the forest reserve, or the buildings or property on the camping-ground; and they shall extinguish all such fires before leaving the camping-ground.

2. The practice of burning wood, fire-brands, or torches through or along the boundary of any reserved forest is prohibited.

**(2) Hunting, Shooting, and Fishing Rules.****RULES TO REGULATE HUNTING, SHOOTING AND FISHING WITHIN THE RESERVED FORESTS IN BENGAL:**

\* In supersession of the rules prescribed by Notification No. 177 T.—R., dated the 13th May 1895, as amended by subsequent notifications, of which the numbers and dates are noted in the margin, the Lieutenant-Governor of Bengal is pleased, in exercise of the powers conferred by clause (i) of section 25 of the Indian Forest Act, 1878 (VII of 1878), as amended by the Forest Act, 1890 (V of 1890), to prescribe the following rules to regulate hunting, shooting, fishing, the poisoning of water and the setting of traps or snares within the Reserved Forests in Bengal.

No. 430 For., dated 27th January 1896.  
 No. 843 T.—R., dated 13th October 1899.  
 No. 90 T.—R., dated 4th January 1902.

I.—No person shall, within the Reserved Forests in Bengal,—

Prohibition as to killing of fish.

- (a) poison any river or other water;
- (b) kill fish by any explosive;
- (c) dam and bale water, or
- (d) use small nets to catch fish.

II.—The following close seasons shall be observed within the said forests:—

Close season.

Rhinoceros, buffalo and female bison	...	...	Whole year.
All stage with horns not in velvet and male antelopes	...	...	1st May to 31st October.
Hornless male deer or deer when with horns in velvet, and females of all deer and antelopes	...	...	Whole year.
Green and imperial pigeon	...	...	1st April to 15th June.
Jungle fowl	...	...	1st April to 31st October.
Pheasants, florican, partridge and pea-fowl	...	...	1st April to 30th September.
Hare	...	...	1st May to 30th September.

\* Vide Notification No. 1992 For., dated 6th April 1907.



The killing or snaring of any of the above within the close season prescribed in each case is prohibited.

Classification  
of  
forests.

III.—For the purposes of these rules forests shall be divided into three classes, namely—

*Class I.*—Forests in which hunting, shooting, trapping or fishing is permissible only under a permit in Form A (Appendix C).

*Class II.*—Forests in which hunting, shooting, trapping or fishing is permissible only under a permit in Form B (Appendix C).

*Class III.*—Forests in which all hunting, shooting, trapping or fishing is prohibited, in order to prevent the extinction of any species, or to form a sanctuary for game, or for any other reason.

All Reserved Forests shall be considered as belonging to class I unless the contrary is specially notified by the Local Government in the *Calcutta Gazette* at the instance of the Commissioner of the Division or the Conservator of Forests through the Commissioner of the Division.

Permit in  
case of  
Reserves  
falling under  
class I. Fees  
therefor.

IV.—In the case of Reserves falling under class I, the necessary permit may be granted by the District Officer or by the Divisional Forest Officer in Form A, appended, on payment of a fee of Rs. 10, for the period between the date on which the permit is granted and the 30th June following the date of its issue, and shall be non-transferable. But, except in the Sundarbans Forest Division, no permit in Form A shall be held to authorize hunting, shooting, trapping or fishing in any Reserved Forest between the 1st February and the 1st July without the express permission of the authority granting the permit. Whenever such permission is given, the fact shall be endorsed on the permit.

Permits in  
case of  
Reserves  
falling under  
class II.

V.—In the case of Reserves falling under class II, the requisite permit in Form B, appended, on payment of the requisite fee, may be granted by the Conservator of Forests, the District Officer, or Divisional Forest Officer.

VI.—Permits under Rule V shall not ordinarily be granted in Reserved Forests, except to approved sportsmen and shikaries, for the exclusive purpose of hunting and killing carnivorous animals and such other animals as may be expressly mentioned in the permit. These permits shall be—(a) non-transferable, (b) available for the period specified thereon not exceeding two months, and (c) may apply to a portion or the whole of any one Reserve: provided that wounded game may be followed into another portion of a Reserve than that to which the permit applies.

Conditions and limitations of such permits.

VII.—The holder of a permit in Form A, to hunt, shoot, trap or fish in forests of class I of any Forest Division, may be allowed by the Conservator of Forests to shoot carnivorous animals, barking deer, hare or winged game, or to fish in any or all of the forests of class II included in the same Division, during the currency of his permit in Form A without extra charge.

Extension of permit for class I forests to forests of class II.

VIII.—Gazetted Forest Officers, Officers of the Imperial and Provincial Civil Services and Gazetted Officers of the Bengal Police having to discharge duties under the Forest Act or Rules made thereunder within the district or subdivision of the district in which the Reserved Forest concerned is situated, and Heads of Department shall be exempted from taking out permits, but shall be bound by Rules I and II and by any orders issued under Rule XIV.

Exemption of certain officers when on duty, and Heads of Departments.

IX.—No permit shall be required for fishing in tidal waters.

Exemption in case of tidal waters.

X.—Fees shall be charged for special permits issued under Rule V according to the following scale:—

Fees for special permits.

	Rs.
To non-residents of Bengal...	50
Residents of Bengal outside the district	
in which the forests are situated	30
Residents of the district	20

Provided that every holder of a special permit shall also pay for a Forest Guard to accompany him and his camp during the time he is within any Reserved Forest specified in his permit, if the Divisional Forest Officer appoints a Forest Guard to accompany him.

Charges for  
killing of  
bison.

XI.—In addition to the permit fee, where a permit fee is required, there shall be a charge of Rs. 10 for the first bison killed, and a charge of Rs. 20 for each subsequent one killed under the same permit.

Prohibition  
of search for  
game prior  
to date of  
permit.

XII.—No person who applies for a permit, whether under Form A or Form B, shall employ any one to search for game in a Reserved Forest prior to the date of his permit.

Prior  
declaration  
as to game  
sought after.

XIII.—At the time a permit in Form B is taken out, a declaration shall be made by the permit-holder as to the animals, other than carnivorous, which he desires to hunt.

Power of  
Conservator  
to make  
rules as to  
number of  
animals to  
be killed,  
and to  
protect  
immature  
animals.

XIV.—The Conservator of Forests may, with the concurrence of the Commissioner of the Division in which the forest is situated, make rules with regard to forests coming under class II—

- (a) fixing the maximum number of animals, other than carnivorous animals, of any kind to be killed in any Reserved Forest, and by any permit-holder or party of permit-holders during any forest year (1st July to 30th June); and fixing the number of permits to be granted in a forest under this class in any year;
- (b) to prevent the killing or capture of immature animals, other than carnivorous animals; and every permit-holder or officer coming under Rule VIII shall be bound by such rules.

Appeals  
against  
refusal of  
permits.

XV.—When an application for a permit in Forms A and B is refused, or where the officers having concurrent authority to issue such permits disagree, an appeal shall lie to the Commissioner of the Division.

Permits to  
shoot  
dangerous  
animals.

XVI.—A permit in Form C may be issued free of charge by the Subdivisional or District Officer or by the Divisional Forest Officer authorizing the holder to hunt, shoot or trap any specified carnivorous or other animal considered dangerous to life. The permit shall be (a) non-transferable, and (b) available for the period specified thereon, not exceeding three months.

XVII.—Every person to whom a permit has been granted under these rules, and who is found hunting, shooting, trapping or fishing in any forests to which these rules apply, shall, on the demand of any Magistrate, Forest Officer, or Police Officer, having jurisdiction in the locality, produce his permit. Production of permits on demand.

XVIII.—(1) Any permit granted under these rules for shooting in a forest may be cancelled at any time by the Conservator of Forests, with the concurrence of the Commissioner of the Division in which the forest is situated, if circumstances render it advisable to stop shooting in that forest, a proportionate return of the fee paid by the permit-holder being made to him. Cancellation of permits.

(2) If any person to whom a permit has been granted under these rules commits a breach of any provision of the Forest Law, or of any of these rules, the permit shall be cancelled in lieu of or in addition to any other punishment to which such person may be liable under the Indian Forest Act, 1878, or under any other law for the time being in force.

XIX.—These rules shall be subject to the provisions of the Elephants' Preservation Act, 1879 (VI of 1879). Saving as to elephants.

### (3) RULES TO REGULATE HUNTING AND SHOOTING IN THE DARJEELING RESERVED FOREST.

#### *Prohibition Against Killing of Rhinoceros, Bison and Buffalo.*

Under section 25, clause (i) of the Indian Forest Act, VII of 1878, the Lieutenant-Governor is pleased to direct that no one shall kill, injure or capture, or attempt to kill, injure or capture, any rhinoceros,\* bison† or buffalo‡ in the reserved forests of the Darjeeling district unless in defence of himself or some other person. A violation of this rule will render the offender liable to the penalty prescribed by section 25.

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\* *Wilde* Notification No. 843T.—R., dated the 13th October 1899.

† " " No. 90, dated the 4th January 1902.

**(4) RULES TO REGULATE HUNTING, SHOOTING AND FISHING, IN THE PROTECTED FOREST OF CHOTA NAGPUR, SONTHAL PARGANAS, AND ROHTAS AND CHAINPUR PARGANAS.**

1. \* In supersession of previous rules, the poisoning of the rivers or other waters, the killing of fish by any explosive, the damming and baling of water in order to catch fish, are prohibited.

2. Subject to the provisions of the Elephants' Preservation Act (VI of 1878), no hunting, shooting, fishing snaring or trapping of any description shall be allowed, save under a license granted by the Conservator of Forests or the Forest Officer in charge of the Forest Division concerned, or, when there is no Forest Officer in charge of the forest concerned, by the District or Subdivisional Officer, to be current for one year from the date of its issue. Every such license shall be in the form given in Appendix D, and shall be granted, on application, free of charge, to every village headman, or, where there is no village headman, to such leading villager in each village as the villagers may select, authorising all the inhabitants of the village to hunt, shoot, fish, snare or trap, as the case may be, within the area, and subject to the conditions specified therein, one of which shall be that the license may be cancelled on breach of any of such conditions by any inhabitant of the village, whether with or without the cognizance of the licensee.

The District or Subdivisional Officer for any forest within his jurisdiction shall have power, on due cause being shown, to grant special licenses, in the form given in Appendix D and subject to the conditions endorsed thereon, to be current for specified periods, for the purpose of destroying any animal or animals dangerous to life.

4. A gazetted officer of Government, having jurisdiction in the locality in which any protected forest is situated, shall not be required to take out a license under rule 2, but shall, if he desires to hunt, shoot, fish, snare or trap, apply to the District Officer for a permit, which may be granted to him in the form (Appendix D) and subject to the conditions endorsed thereon.

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\* *Vide* Notifications No. 564T.—R., dated 24th September, and No. 5441For., dated 16th December 1895, and No. 949T.—R., dated 1st July 1901.

5. An order refusing to grant a license, if passed by a Forest Officer in charge of a Forest Division, shall be appealable to the Conservator of Forests; if passed by a Subdivisional Officer, to the District Officer; and if passed by the Conservator of Forests, or the District Officer, whether on appeal or otherwise, to the Commissioner of the Division.

6. An order refusing to grant a special license, if passed by a Subdivisional Officer, shall be appealable to the District Officer; and an order refusing to grant a special license or permit, if passed by a District Officer, whether on appeal or otherwise, to the Commissioner of the Division.

7. Any license granted under these rules for shooting in a forest may be cancelled at any time by the Conservator of Forests in Bengal, with the concurrence of the Commissioner of the Division in which the forest is situated, if circumstances render it advisable to stop shooting in that forest.

8. If an inhabitant of any village, the headman or the leading villager of which has been granted a license under rule 2, commits a breach of any provision of the Forest Law or of any of these rules, the license for the whole village may be cancelled, in addition to any other punishment to which the village headman or the leading villager, or the person who committed the offence, may be liable.

(5) RULES TO REGULATE HUNTING, SHOOTING AND FISHING IN THE PROTECTED FORESTS OF THE ANGUL AND PURI DISTRICTS.

\* In exercise of the powers conferred by clause (i) of section 31 of the Indian Forest Act, 1878 (VI of 1878), and with the previous sanction of the Governor-General in Council, the Lieutenant-Governor of Bengal is leased to make the rules hereinafter set forth below to regulate hunting, shooting, fishing, the poisoning of water and the setting of traps or snares in the Protected Forests of the districts of Puri and Angul.

So much of the Notifications No. 564T.—R. and No. 948T.—R., dated respectively the 24th September 1895 and the 1st July 1901, as relates to the Protected Forests in Angul and Khurda, is hereby cancelled.

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\* *Vide* Notification No. 1993For., dated the 6th April 1907.

Prohibition  
of killing of  
fish by  
poison or  
explosives.

Observance  
of close  
seasons.

I.—No person shall poison any river or other waters, or kill fish by any explosive within the Protected Forests of the Puri and Angul districts.

II.—The following close seasons shall be observed within the aforesaid forests, namely :—

Bison	...	...	Whole year.
All stags with horns not in velvet, and male antelopes			1st May to 31st October.
Hornless male deer or deer when with horns in velvet, and females of all deer and antelopes	...	...	Whole year.
Green and imperial pigeon...			1st April to 15th June.
Jungle fowl	...	...	1st April to 31st October.
Partridge and pea-fowl	...	...	1st April to 30th September.

The killing or snaring of any of the above within the close season prescribed in each case is prohibited.

Classifica-  
tion of  
forests.

III.—For the purpose of these rules forests shall be divided into two classes, namely :—

*Class I.*—Forests in which hunting, shooting or trapping is permissible only by the holder of a permit in Form A (Appendix E) or by the holder of a permit to hunt, shoot or trap in the Reserved Forests of the district concerned.

*Class II.*—Forests in which all hunting, shooting, trapping or fishing is prohibited, in order to prevent the extinction of any species, or to form a sanctuary for game or for any other reason.

All forests shall be considered as belonging to class I, unless the contrary is specially notified by the Local Government in the *Calcutta Gazette* at the instance of the Commissioner of the Division or the Conservator of Forests through the Commissioner of the Division.

Grant and  
duration of,  
and fees for,  
permits.

IV.—A permit (Appendix E) authorising the holder to hunt, shoot or trap in Protected Forests of class I may be granted by the District Officer, or for the Puri Protected Forests only, by the Subdivisional Officer, Khurda, to approved raiyats of the Khurda

or Angul Estates free of charge, and in all other cases subject to a charge of Rs. 10. Such permit shall hold good for the period ending the 30th June following the date of its issue, and shall not be transferable.

V.—Gazetted Forest Officers, officers of the Imperial and Provincial Civil Services and Gazetted Officers of the Bengal Police, having to discharge duties under the Indian Forests Act, 1878, or the rules framed thereunder within the district, or subdivision of the district, in which the Protected Forest concerned is situated, shall be exempted from the necessity of taking out permits, but shall be bound by the provisions of Rules I and II above.

Exemption  
of certain  
officers,

VI.—A permit in Form B, (Appendix E) may be issued free of charge by the Subdivisional or District Officer, or by the Divisional Forest Officer, authorising the holder to hunt, shoot or trap any carnivorous or other animal considered dangerous to life. Such permit shall be (a) non-transferable, and (b) available for a period, not exceeding three months, to be specified thereon.

Permit to  
kill  
dangerous  
animals.

VII.—Where an application for a permit has been refused, an appeal shall lie to the Commissioner of the Division.

Appeal  
against  
refusal to  
grant  
permit.

VIII.—Every person to whom a permit has been granted under these rules, and who is found hunting, shooting or trapping in any forest to which these rules apply, shall, on the demand of any Magistrate, Forest Officer or Police Officer having jurisdiction in the locality produce his permit.

Production  
of permits  
on demand.

IX.—If any person to whom a permit has been granted under these rules commits a breach of any provision of the Indian Forest Act, 1878, or of any rule made thereunder, the permit shall be cancelled in lieu of, or in addition to, any other punishment to which such person may be liable under the Indian Forest Act, 1878, or under any other law for the time being in force.

Cancellation  
of permit on  
commission  
of offence.

X.—These rules shall be subject to the provisions of the Elephants' Preservation Act, 1879 (VI of 1879).

Saving as to  
Elephants.



**(6) RULES TO REGULATE HUNTING, SHOOTING AND  
THE SETTING OF TRAPS OR SNARES IN THE  
PROTECTED FORESTS OF THE 24-PARGANAS  
DISTRICT OF BENGAL.**

\*In exercise of the powers conferred by clause (v) of section 31 of the Indian Forest Act, 1878 (VII of 1878), and with the previous sanction of the Governor-General in Council, the Lieutenant-Governor is pleased to make the Rules hereinafter set forth below to regulate hunting, shooting, and the setting of traps or snares in the Protected Forests of the 24-Parganas district of Bengal.

Notifications No. 177T.—R., and No. 5402 For., dated, respectively, the 18th May 1895 and the 16th December 1895, are, in so far as they concern the Protected Forests of the Sundarbans Division, hereby cancelled.

**Close season.** I.—The following close seasons shall be observed in the Protected Forests of the 24-Parganas district of Bengal:—

Rhinoceros and buffalo	...	Whole year.
Deer of all kinds	...	1st May to 31st October.

No person shall kill or attempt to kill any of the above animals during the close season prescribed in each case.

Prohibition  
of hunting,  
shooting,  
etc., without  
permits.  
Conditions  
of permits.

II.—No person shall hunt, shoot or set traps or snares in the Protected Forests of the 24-Parganas district without a permit. Every permit shall be—  
(a) non-transferable, (b) granted for a certain block of forest which shall be entered thereon, and (c) available only for the period specified thereon:

Provided that Gazetted Forest Officers, Officers of the Covenanted Imperial and Provincial Civil Services, and Gazetted Officers of the Bengal Police having to discharge duties under the Forest Act or the Rules made thereunder within the district of the 24-Parganas, and Heads of Departments shall be exempted from taking out permits, but shall be bound by the provisions of Rule 1.

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\* *Vide* Notification No. 1994 For., dated 6th April 1907.

III.—Permits to hunt, shoot, trap, or pursue game in the said forest shall be of three classes:—

Classification  
of permits.  
Duration  
and fees.

*Class I—*

A sportman's permit, permitting the holder to shoot animals of all kinds, with the exception of female deer, hornless male deer or deer with horns in velvet, subject to observance by him of the close season prescribed in Rule 1. Permits of this class may be issued by the Collector of the 24-Parganas district and by the Forest Officer in charge of the Sunderbans Division, and the charge for each permit, which shall hold good for the period between the date on which the permit is issued and the 30th June following the date of its issue, shall be Rs. 10.

*Class II—*

A trade permit, permitting the holder to shoot or trap all kinds of game, subject to observance by him of the close season prescribed in Rule 1, and also subject to a condition that not more than four head of deer may be shot and snared by the permit-holder during any single expedition to the forests. Permits of this class may be issued by the Forest Officer in charge of the Sunderbans Division. The charge for such a permit shall be Rs. 50, and it shall hold good up to the 30th of June following its issue.

*Class III—*

A tiger-killing permit, permitting the holder to shoot or trap tigers and such animals other than deer as he may require for baits. Permits of this class may be issued by the Collector of the 24-Parganas district and by the Forest Officer in charge of the Sunderbans Division free of charge, and for periods not exceeding six months in any case:

Provided that any Revenue Officer of not lower rank than a Deputy Collector shall have power to issue permits of this class for the protection of men or parties of men who enter the Protected Forest on Government duties.

**Presentation on entry and counter-signature of trade permits.** IV.—Every holder of a trade permit (II) shall present himself and his boat at any one of the Forest Revenue Stations, to be endorsed on his permit, before entering the Protected Forests, for the purpose of hunting, shooting or trapping animals, and his permit shall be countersigned on each such occasion by the officer in charge of the said station.

**Appeals against refusal to grant permit.** V.—When an application for a permit of classes I and III is refused, or when the officers having concurrent authority to issue such permits disagree, an appeal shall lie to the Commissioner of the Presidency Division. In the event of an application for a permit of class II being refused an appeal shall lie to the Conservator of Forests, Bengal.

**Production of permit on demand.** VI.—Every person to whom a permit has been granted under these Rules and who is found hunting, shooting or trapping in the Protected Forests of the 24-Parganas district, shall, on the demand of any Magistrate, Forest Officer or Police officer having jurisdiction in the locality, produce his permit.

**Cancellation of permit on breach of rules.** VII.—If any person to whom a permit has been granted under these Rules commits a breach of any provisions of the Indian Forest Act, 1878, or of any rule made thereunder, the permit shall be cancelled in lieu of, or in addition to, any other punishment to which such person may be liable under the Forest Act or under any other law for the time being in force.

## APPENDIX A.

### RULES, ETC., ISSUED BY GOVERNMENT UNDER ACTS OTHER THAN THE FOREST ACT.

#### (1) Rules under the Indian Fisheries Act, IV of 1897, in force in the Darjeeling District.\*

THE following rules under section 6, clauses (1), (3) and (5), and section 7 of Act IV of 1897, an Act to provide for certain matters relating to fisheries in British India, are published for general information:—

(1) The erection and use of fixed engines, the construction of weirs, and the use of nets with meshes of a smaller dimension than one inch square, is prohibited in all rivers and streams within the limits of the Darjeeling district, save and except in such parts of the same as (a) are under the control of the Forest Department under the rules framed under section 25, clause (i), and section 31, clause (f), of Act VII of 1878; and (b) lie within the limits of grants held under leases conferring rights of fishery.

(2) Any breach of the above rule shall be punishable with fine, which may extend to Rs. 100, and when the breach is a continuing breach with a further fine, which may extend to Rs. 10, for every day after the date of the first conviction during which the breach is proved to have been persisted in.

All fixed engines erected or used or nets used in contravention of the above rule shall be liable to seizure, forfeiture, and removal.

4. All fish taken by means of any such fixed engine or net shall be liable to forfeiture.

All "Forest Officers" as defined in section 2 of Act VII of 1878, serving in the Darjeeling district, are hereby empowered to effect arrests without warrant for offences punishable under section 4 or 5 of Act IV of 1897, or under any rule under section 6 thereof, subject to the conditions laid down in section 7 of the said Act.

#### (2) Agreements made with Forest Department exempt from duty payable under Stamp Act.†

In exercise of the powers conferred by section 8 of the Indian Stamp Act (I of 1879), the Governor-General in Council is pleased to remit the duty payable under that Act on instruments in the nature of a memorandum or agreement furnished to, or made or entered into with, the Forest Department by contractors for the due performance of their contract.

---

\* *Vide* Notification No. 251For., dated the 15th January 1900.

† " " " 3484S.R., dated 23rd July 1895.

(3) Officers of Forest Department exempt from prohibitions under Arms Act.\*

Under paragraph 1, clause (3), of the Notification No. 518, dated the 6th March, 1879, issued by His Excellency the Governor-General in Council under the Indian Arms Act, 1878 (XI of 1878), as amended by subsequent Notifications, and in supersession of all previous Notifications issued by this Government on the subject, the Lieutenant-Governor directs that the following officers of the Police, Forest, Postal and Jail Departments, employed in the territories under his administration, shall be exempt from the operation of all prohibitions and directions contained in sections 13, 14, 15 and 16 of the said Indian Arms Act, 1878, other than those referring to cannon, articles designed for torpedo service, war-rockets, rifles of .303 or .450 bore, ball ammunition which can be fired from such rifles, and machinery for the manufacture of arms and ammunition:—

Forest Department	... † Forest Rangers and Officers of superior rank.
" "	... ‡ Forest guards, Foresters and Deputy Rangers.

II.—Under paragraph 1, clause (8), of the said Notification No. 518, dated the 6th March 1879, as amended by subsequent Notifications, the Lieutenant-Governor further directs that the following pensioned officers shall be similarly exempt:—

Forest Department	... † Extra Assistant Conservators of Forests and Officers of higher rank.
-------------------	--

\* *Vide* notification dated 30th June 1891.

† " " No. 211P., dated the 14th January 1908.

‡ " " " 212, ditto ditto.

N.B.—Revenue Station Officers when engaged on outdoor work only, may be regarded as foresters, etc., for the purposes of Notification No. 212P., *vide* Conservator of Forests' letter No. 37, dated the 25th May 1908.

## APPENDIX B.

## NOTIFICATIONS CONSTITUTING STATE FORESTS.

## (a) RESERVED FORESTS.

DIVISION.	Forest.	Number and date of notification.	REMARKS.
Darjeeling	All forests except Singalila.	Notification, dated 23rd January 1879, under section 34.	
	Singalila ...	Notification, dated 22nd September 1882, under section 19.	
	<i>Additions to above.</i>	Notifications issued under section 19 and dated as follows:—	
	Pagrainbong ...	19th July 1880 ...	Area about 960 acres.
	Tungsoong (part) and Goom.	15th August 1882 ...	Area about 700 acres.
	Two plots near Rangbi.	25th March 1881 ...	Area about 3,616 acres taken over from Cinchona Department.
	Clover bank location	No. 4031 For., dated 22nd August 1895.	Area 10 acres.
	Two locations near Toong.	9th July 1890 ...	Areas aggregating 6 acres.
	Rinchintong dhara	10th March 1896 ...	Area about 17 acres.
	<i>Exclusions.</i>		
	Goompahar ...	Notification, dated 24th November 1884, under section 26.	
	<i>Transfers.</i>		
	Mahaldaram Blocks I to V.	Government Order No. 339 T.—R., dated 30th April 1909.	Transferred to Kurseong Division.

## APPENDIX B.

DIVISION.	Forest.	Number and date of notification.	REMARKS.
Tista ...	All forests except those noted below :—	Notification, dated 23rd January 1879, under section 34.	
	Tista-Chel forest	Notification, dated 17th June 1881, under section 19.	
	Chel-Jaldaka „	Notification, dated 1st August 1881, under section 19.	
	Jest and Cheechu „	Notification, dated 28th August 1882, under section 19.	
	<i>Exclusions.</i>		
	Jest and Cheechu	Notification, dated 11th October 1887, under section 26.	Area, 300 acres given up for a settlement.
	Mal ... ..	Notification No. 3590 For., dated 5th September 1896.	Area 500 acres, Boundaries revised in Notification No. 958 For., dated 11th February 1902.
	Pugo ...	<div>7th. June 1889. ...</div> <div>9th February 1892</div>	<div>Excludes two plots aggregating 6 acres.</div> <div>About 2 acres excluded.</div>

## APPENDIX B.

DIVISION.	Forest.	Number and date of notification.	REMARKS.
Kurseong	All forests except those noted below:—	Notification, dated 23rd January 1879, under section 34. Notifications issued under section 19 and dated as follows:—	
	Bahukhola ...	12th August 1890	Area about 1,840 Acres.
	Nipsania ...		" " 473
	Gurabadi ...		" " 73
	Mulka ...		" " 588
	Bengdubi ...		" " 660
	Tukriaghar ...		" " 1,364
	Shilibhita ...		" " 404
	<i>Additions.</i>		
	Puglajhora ...	19th November 1885 No. 828, dated 20th October 1898.	" " 35 " " 363
	Kundong Block (part)	30th April 1881 ...	" " 370
	Dhobijhora " "	8th November 1883	" " 90
	Mamring " "		" " 160
	Manjua " "	10th August 1883 ...	" " 142
	Manjha " "	26th May 1886 ...	" " 2
	Bengdubi " "	No. 3478 For., dated 25th November 1903.	" " 8
	Balasun " "	No. 3666 For., dated 30th July 1895.	" " 105
	<i>Exclusions.</i>		
	Merig Block (whole)	Notification under section 26, dated 11th December 1885.	" " 1,934
	Manjua " (part)	18th July 1882 ...	" " 142
	Mana " "	No. 2881 For., dated 8th June 1901.	" " 5
	Portions of Manjha Block disforested from time to time:	18th February 1882	" " 34
		29th December 1885	" " 3
		6th June 1885 ...	" " 2
		7th December 1888	" " 1
		No. 3547 For., dated 19th September 1892.	" " 7
	Bengdubi Block (part).	No. 1450 For., dated 17th March 1903.	" " 8
	Lamagumba ...	No. 3588 For., dated 18th October 1892.	" " 9
	Dhobijhora (part)	No. 2419 For., dated 3rd June 1896.	" " 48



APPENDIX B.

Date	Name	Description of Service	Remarks
	J. H. V.	...	...
	...	...	...
	...	...	...
	...	...	...
	...	...	...
	...	...	...
FEBRUARY	...	...	...
	...	...	...
	...	...	...
	...	...	...
	...	...	...
	...	...	...
	...	...	...
	...	...	...
	...	...	...
	...	...	...
	...	...	...

## APPENDIX B.

DIVISION.	Forest.	Number and date of notification.	REMARKS.
Sunderbans.	Sunderbans ...	Notification dated 23rd January under section 34.	Area about 7, 168 acres.
	<i>Exclusions.</i>	Notification dated 14th April 1883, under section 26. Notification No. 1462 For., dated 7th March 1904, under section 26.	
Sambalpur.	Sambalpur ...	Notification No. 5036, dated 2nd December 1887. Notification No. 5038, dated 2nd December 1887. Notification No. 5609, dated 17th December 1894. Notification No. 5611, dated 17th December 1904. Notification No. 1632, dated 18th March 1907.	253,159 acres, or 396 square miles.
	All forests except Turva.	Notification issued under section 19—	Notification No. 1597 For., dated 20th March 1894, gives a revised description of boundaries.
	Turva ...	No. 2051 For., dated 11th June 1893. No. 3523 For., dated 23rd July 1895.	
	Churang,* Chandka,* Barapita,* Tarkai, Barunai hill.* Mondhasal, Haripur, Majana, Jaimangal, Nagapati, Bharatpur, Rampur.	23rd June 1885. 15th November 1886	Notification No. 2962, dated 3rd November 1903, gives a revised description of boundaries of the blocks marked.*
	Kuhuri, Sulia, Arang,* Taruna,* Ratwal, Bankar,* Pandhgarh Rajin.*	23rd July 1885. 13th November 1891.	
Puri ...	Chandka ...	Notification No. 1953 For., dated 15th May 1902, under section 26.	About 500 acres. " 928 " " 14 " " 107 " " 425 " " 470 "
	Barapita ...		
	Mondhasal ...		
	Haripur ...		
	Kuhuri ...		
	Sulia ...		

## APPENDIX B.

## (b) PROTECTED FORESTS.

*(Notified under section 23 of the Forest Act.)*

Locality,	Forest Division.	Number and date of Notification.
Sonthal Parganas ...	Sonthal Parganas	No. 4844 For., dated 2nd November 1894.
Chota Nagpur ...	{ Palamau ... } { Singhbhum... }	No. 3586 For., dated 17th July 1894.
Palamau ...	Palamau ...	No. 1488 For., dated 15th March 1906.  Noting blocks which continue to be Protected Forests.
Kolhan ...	Singhbhum ...	No. 2374 For., dated 8th August 1906.  Noting blocks which continue to be Protected Forests.
Khurda ...	Puri ...	Notification dated 9th August 1890.
Angul ...	Angul ...	Notification No. 463 T.R.—For., dated 12th June 1899.
Sundarbans (24-Parganas) Ditto (24-Parganas and Jessore). Ditto (24-Parganas and Khulna). Ditto (24-Parganas)	Sundarbans ...	Notification dated 7th December 1878. Notification dated 24th February 1879. Notification dated 10th August 1883. Notification dated 12th April 1888.
Shahabad ...	.....	No. 5441 For., dated 16th December 1895.

## APPENDIX C.

## RESERVED FORESTS.

*Hunting, Shooting and Fishing Permits.*

## FORM A.

## PERMIT TO BE GRANTED UNDER RULE IV.

*License to hunt, shoot or fish within a Reserved Forest—Fee  
Rs. 10.*

Permit to hunt, shoot or fish within the \_\_\_\_\_ Reserved  
Forest of the \_\_\_\_\_ Division between the  
date of the permit and the 30th June 19\_\_\_\_, granted under  
Rule IV of the Rules issued under Notification No. \_\_\_\_\_,  
dated the \_\_\_\_\_, subject to the conditions  
specified on the reverse.

(a) To

(b) Of

(c) Status

NOTE.—Other details may be added for the purpose of identification at the  
discretion of the officer granting this permit.

\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

*Signature of Officer granting the Permit.*

See page 70.

The holder of this permit is permitted to hunt, shoot and fish in the forest mentioned  
in the license between the 1st February and the 30th June.

*Signature of Officer granting the permit*

## [Reserve].

I.—The poisoning of rivers or other waters, the killing of fish by any explosive, the damming and baling of water, and the use of small nets to catch fish are prohibited :—

II.—The following close seasons are prescribed :—

Rhinoceros, buffalo and female bison	...	Whole year.
All stags with horns not in velvet, and male antelopes.	...	1st May to 31st October.
Hornless male deer or deer when with horns in velvet, and females of all deer and antelopes.	...	Whole year.
Green and imperial pigeon	...	1st April to 15th June.
Junglo fowl	...	1st April to 31st October.
Pheasants, florican, partridge and pea-fowl	...	1st April to 30th September.
Hare	...	1st April to 30th September.

The killing or snaring of any of the above within the close season prescribed in each case is prohibited.

III.—No wild elephant shall be hunted, shot at, killed, injured or captured.

IV.—The setting of traps or snares is prohibited.

V.—This permit does not authorise hunting, shooting or fishing in any Reserved Forest, or in any part of any Reserved Forest, which has been notified in the *Calcutta Gazette* as belonging to class II or class III of Rule III of Notification Nos. 408F.-R., and 1192T.-R., dated 2nd May and 8th June 1907, respectively, nor, unless it only applies to the Sunderbans Division, shall it be held to authorise hunting, shooting or fishing in any Reserved Forest between the 1st February and 1st July, unless the certificate showing that the holder has received special permission to hunt, shoot or fish between those dates has been countersigned by the Officer granting the permit.

Breach of any of the conditions of this license will render the license liable to forfeiture, in addition to any punishment to which the holder thereof may be liable under the law.

FORM B.

PERMIT GRANTED UNDER RULE V.

COUNTERFOIL.	DUPPLICATE.	TRIPPLICATE.
No. , dated 19 ,		Shooting permit granted subject to the Rules on the reverse.
Name of permit-holder—		No. , dated .10
Residence—		Name of permit-holder—
Status—		Residence—
		Status—
		Fee paid for permit—
		Period for which valid—
		From 19 to 19 .
		Name of forest or portion thereof for which permit is granted with boundaries thereof.

*Note.*—This is to be kept in the office containing all necessary details found in the triplicate.

*Note.*—This is to contain all necessary information given in triplicate.

[Reverse.]

The maximum number of certain animals other than carnivorous animals that may be shot under this license is :—

KIND OF ANIMALS.	Maximum number to be shot.	Fee to be paid for each animal shot, in addition to the permit fee, under Rule XI.
------------------	----------------------------	--

Name of Forest Guard accompanying the party with rate of pay—  
 Name—  
 Pay—Rs. per mensem.

1. The permit-holder shall observe the following close seasons :—

Rhinoceros, buffalo and female bison ... Whole year.

All stags with horns not in velvet, and male antelopes. ... 1st May to 31st October.

Hornless male deer or deer when with horns in velvet, and females of all deer and antelopes ...

Green and imperial pigeon ... Whole year.  
 1st April to 15th June.

Jungle fowl	...	...	...	1st April to 31st October.
Pheasants, florican, partridge and pea-fowl	...	...	...	1st April to 30th September.
Hare	...	...	...	1st May to 30th September.

The killing or snaring of any of the above within the close season prescribed in each case is prohibited.

2. The permit-holder shall observe any orders issued under Rule XIV limiting the number of animals to be shot, or prohibiting the killing of immature animals.

3. The holder of a permit shall camp only on such regular camping-grounds as may have been set apart by the Forest Authorities or in places specially pointed out to him by a Forest Officer.

4. This permit can be cancelled under Rule XVIII of the Shooting Rules.

5. The holder of a permit is not exempted from liability under the Forest Act, or for any other law, or anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.

6. Every permit-holder must, if so ordered by the Forest Officer, pay for a Forest guard to accompany him and his camp during the time he is within Government forest limits, whose sole duty it will be to see that none of the Forest Rules are infringed by the permit-holder or his followers.

#### FORM C.

#### SHOOTING PERMIT.

*Under Rule VI of Notification No. , Dated*

Name of permit holder—

Residence—

Status—

Period for which valid—

Name of Forest or portion thereof for which the permit is granted, with boundaries thereof.

Description of carnivorous or other animal dangerous to life which the permit-holder is permitted, to hunt, shoot or trap.

*Dated*

19 .

*Signature of Issuing Officer.*

[Reverse.]

1. This permit is non-transferable, available only for the period specified, not exceeding three months, and only authorises the hunting, shooting or trapping of the animal or animals described therein.

2. The holder of this permit shall camp only on such regular camping-grounds as may have been set apart by the Forest Authorities, or in places specially pointed out to him by a Forest Officer.

3. The holder of this permit is not exempted from liability under the Forest Act or any other law for anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.

## APPENDIX D.

## PROTECTED FORESTS.

*Ordinary Hunting, Shooting, and Fishing LICENSE granted under Rule 2 of the Rules to regulate Hunting, &c., in the Protected Forests of Chota Nagpur and the Sonthal Parganas.*

License to (here enter hunt, shoot or fish, as the case may be) in the (here specify area, Protected Forest)  
granted to—

(Name and father's name.)

(Residence.)

(Description.)

(Name of village on behalf of which the license is given.)

Dated

..... Conservator of Forests,

..... Division.

Or District or Subdivisional Officer of—

*Conditions under which this LICENSE is granted.*

This license is issued subject to the following conditions:—

1. The poisoning of rivers or other waters, the killing of fish by any explosive, the damming and baling of water in order to catch fish, are prohibited.

2. No person shall shoot at, wound, kill, take or capture the following animals and birds between the 1st April and the 30th September:—

Deer and antelope.

Hare.

Pheasant.

Partridge.

Hill and sandgrouse.

Pen-fowl.

Junglo-fowl.

Floricorn.

3. No person shall shoot at, wound, kill, take or capture any male deer of any kind when in velvet or when hornless, or the females or young of any of the following animals:—

1. Bison.

2. Sambur.

3. Spotted deer.

4. Barking deer.

5. Swamp deer.

6. Antelope.

4. A breach of any of the above conditions by the licensee or by any inhabitant of his village will render this license liable to cancellation.

5. Any inhabitant of village . may (here enter hunt, shoot or fish as the case may be) in the (here specify area Protected Forest) under this license.

I agree to the above conditions, which I have read and have been explained to me.

Dated

Licensee.



## II.

*Special Hunting and Shooting LICENSE (granted under Rule 3 of the Rules to regulate Hunting, &c., in the Protected Forests of Chota Nagpur and the Sonthal Parganas.)*

*License to destroy the animal or animals dangerous to life specified below in the (here specify area, Protected Forest.)*

granted to—

(Name and father's name.)

(Residence.)

(Description.)

(Animal or animals to be destroyed.)

(Period for which the license will run.)

*Dated*

*District or Subdivisional Officer of—*

*Conditions under which this LICENSE is granted.*

This license is issued subject to the following conditions :—

1. No person shall shoot at, wound, kill, take or capture any animals other than the animal or animals specified in this license.

2. A breach of the above conditions by the licensee will render this license liable to cancellation.

I agree to the above conditions, which <sup>I have read</sup> have been explained to me.

*Dated*

*Licensee.*

## III.

OFFICE OF <sup>MAGISTRATE</sup> DEPUTY COMMISSIONER OF DISTRICT.

*Hunting, Shooting and Fishing PERMIT (granted under Rule 4 of the Rules to regulate Hunting, &c., in the Protected Forests of Chota Nagpur and the Sonthal Parganas.)*

Permit to (here enter hunt, shoot or fish) in the area described below :—

Granted to

Period of currency

*Dated*

*Magistrate*  
*Deputy Commissioner of*

*District.*

*Conditions under which this PERMIT is granted.*

This Permit is issued subject to the following conditions :—

1. The poisoning of rivers or other waters, killing of fish by any explosive, the damming and baling of water in order to catch fish, are prohibited.

2. No person shall shoot at, wound, kill, take or capture the following animals and birds between the 1st April and the 30th September :—

Deer and antelope.	Hill and sandgrouse.
Hare.	Pea-fowl.
Pheasant.	Jungle-fowl.
Partridge.	Floricane.

3. No person shall shoot at, wound, kill, take or capture any male deer of any kind when in velvet or when hornless, or the females or young of any of the following animals :—

1. Bison.	4. Barking deer.
2. Sambur.	5. Swamp deer.
3. Spotted deer.	6. Antelope.

4. A breach of any of the above conditions will render this permit liable to cancellation.

I agree to the above conditions, which I have read.

*Dated*

*Permit-holder.*

## APPENDIX E.

For use in the Augul and Puri Divisions.

## FORM A.

## PERMIT TO BE GRANTED UNDER RULE IV.

*License to Hunt, Shoot or Trap within a Protected Forest—  
Fee Rs. 10.*

The holders of this permit is permitted to hunt, shoot and fish in the forests mentioned in the license between the date of its issue and the 30th June.

Signature of Officer granting the Permit.

Permit to hunt, shoot, or fish within the \_\_\_\_\_ Protected  
Forest of the \_\_\_\_\_ Division between the  
date of the permit and the 30th June 19\_\_\_\_, granted under  
Rule IV of the Rules issued under Notification No. \_\_\_\_\_  
dated the \_\_\_\_\_, subject to the condition  
specified on the reverse.

- (a) To
- (b) Of
- (c) Residence
- (d) Status

The \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

*Signature of Officer granting the Permit.*

[Reverse.]

- I.—The poisoning of rivers or other waters, and the killing of fish by any explosive, are prohibited.
- II.—The following close seasons are prescribed:—
 

Rhinoceros, buffalo and female bison	...	Whole year.
All stags with horns not in velvet, and		
male antelopes	...	1st May to 31st October.

---

See Page 76.

Hornless male deer or deer when with horns in velvet, and females of all deer and antelopes	...	...	Whole year.
Green and imperial pigeon	...	...	1st April to 15th June.
Jungle fowl	...	...	1st April to 31st October.
Pheasants, florican, partridge and poa-fowl	...	...	1st April to 30th September.
Hare	...	...	1st April to 30th September.

The killing or snaring of any of the above within the close season prescribed in each case is prohibited.

III.—No wild elephant shall be hunted, shot at, killed, injured or captured.

IV.—The setting of traps or snares is prohibited.

V.—This permit does not authorise hunting shooting, or fishing in any Protected Forest, or in any part of any Protected Forest, which has been notified in the *Calcutta Gazette* as belonging to class II of Rule III of Notification No. , dated

Breach of any of the conditions of this license will render the license liable to forfeiture, in addition to any punishment to which the holder thereof may be liable under any law for the time being in force.

#### FORM B.

#### SHOOTING PERMIT.

*Under Rule VI of Notification No. , Dated*

Name of permit-holder

Residence

Status

Period for which valid

Name of Forest or portion thereof for which the permit is granted, with boundaries thereof.

Description of carnivorous or other animal dangerous to life which the permit-holder is permitted to hunt, shoot or trap.

*Dated*

*19*

*Signature of Issuing Officer.*

[*Reverse.*]

1. This permit is non-transferable, available only for the period specified, not exceeding three months, and only authorises the hunting, shooting or trapping of the animal or animals described therein.

2. The holder of this permit shall camp only on such regular camping grounds as may have been set apart by the Forest authorities, or in places specially pointed out to him by a Forest Officer.

The holder of this permit is not exempted from liability under the Forest Act or any other law, for anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.

APPENDIX F.  
SUNDARBANS DIVISION.

## I.

*Form of permit prescribed in Rules IV and V.*

SUNDARBANS DIVISION.

Permit No. \_\_\_\_\_ Book No. \_\_\_\_\_

Name \_\_\_\_\_

Son of \_\_\_\_\_

Resident of \_\_\_\_\_

to cut and collect in \_\_\_\_\_

the undermentioned timber and other Forest Produce, viz.:—

and to transport the same in the boat described below:—

Register No.	Length.	Breadth.	Depth.	Maundage.

to the \_\_\_\_\_ Forest Checking Station, to the Officer in charge of which this permit must be surrendered, the above described boat and all timber or other Forest Produce collected therein being at the same time presented for examination on or before the \_\_\_\_\_ 19\_\_.

This permit only authorizing the cutting, collection and transit of one cargo, whatever the size of that cargo may be, of the above mentioned Forest Produce in or slung from the above described boat. But only logs may be slung from any boat and logs may not be slung more than one deep in the water. The holder of this permit must not use or employ for the cutting, collection or transport of the said Forest Produce more than \_\_\_\_\_ workmen or any boat other than the boat described above.

The permit-holder must proceed to the place where he is authorized to cut the above described produce by the following route, viz:— and he must proceed from such place to the Checking Station specified for the surrender of this permit by the following route, viz:—

*Definition.*—Logs are pieces of timber 3 feet or over in girth at the thick end; poles are pieces of timber over 8 feet or more in length and under 3 feet in girth at the thick end; all other pieces of timber are classed as fuel.

Name of Forest Revenue Station } \_\_\_\_\_  
where permit is issued }

Rate and price received in advance \_\_\_\_\_

Date of issue of permit \_\_\_\_\_

Date of surrender of permit \_\_\_\_\_

Officer in charge,

\_\_\_\_\_ Revenue Station.

## II.

*Form of Right-of-Way pass prescribed in Rule VI.*

## SUNDARBANS DIVISION.

Book No. . Right-of-Way Pass No.

Name\_\_\_\_\_

Father's name\_\_\_\_\_

Resident of\_\_\_\_\_Thana\_\_\_\_\_District\_\_\_\_\_

is authorized to pass through the\_\_\_\_\_forest

via\_\_\_\_\_to\_\_\_\_\_

and to transport\_\_\_\_\_in the boat described below:—

Register No.	Length.	Breadth.	Depth.	Maundage.	Rate.
				Mds. s. o.	Rs. A. P.

To the\_\_\_\_\_Forest Revenue Station, to the officer in charge of which this Pass must be surrendered, the above described boat and all timber or other forest produce carried therein being at the same time presented for examination on or before the\_\_\_\_\_

19

This pass only authorizes the transport of one cargo, whatever the size of that cargo may be, of the abovementioned forest produce.

Amount paid Rs.

\_\_\_\_\_  
Officer in charge,\_\_\_\_\_  
Revenue Station.

## III.

*Form of Certificate prescribed in Rule VII to be filled up and supplied in exchange for a Right-of-Way Pass.*

## SUNDARBANS DIVISION.

Book                      Right-of-Way Pass No.

Certified that I have examined the undermentioned Forest Produce belonging to.....

Name.....

Son of.....

Resident of.....

transported under the above Right-of-Way Pass in the undermentioned boat:—

Register No.	Length.	Breadth.	Depth.	Maundage.	Rate.
				Mds. s. c.	Rs. A. P.

which contains the following amount of Forest Produce:—

		Rs. A. P.
.....Maunds of.....	Fee due	...
	Prepaid	...
	Balance due	...

which has been paid to me

The Forest Produce may now be removed in the abovementioned boat by the following route:—

Dated..... }  
m.                      19 .. }

.....  
Officer in charge,

Revenue Station.

*Form of Certificate prescribed in Rule VII, to be filled up and supplied in exchange for a Permit.*

**FOREST DEPARTMENT, BENGAL.**

SUNDARBANS DIVISION.

**CERTIFICATE.**

Book No. \_\_\_\_\_

Permit No. \_\_\_\_\_

Dated the \_\_\_\_\_ 19 .

CERTIFIED that I have examined the undermentioned Forest Produce collected by—

Name \_\_\_\_\_

Son of \_\_\_\_\_

Resident of \_\_\_\_\_

Under the above permit, and found that he has collected the following amount of Forest Produce :—

			Rs.	A.	P.
Maunds of		worth at	...		
Fest of	Logs	"	...		
		Total	...		
		Prepaid on permit	...		
		Balance due	...		

Rupees \_\_\_\_\_ annas \_\_\_\_\_ pies \_\_\_\_\_ which has been paid to me.

The above named has now the permission to remove the said Forest Produce by the following route \_\_\_\_\_ in the boat described below :—

Register No.	Length.	Breadth.	Depth as entered in permit.	Actual depth.	Maundage entered in permit.	Actual maundage.

No. of logs entered in permit \_\_\_\_\_ rate charged \_\_\_\_\_ Total No. of logs brought out \_\_\_\_\_ total length \_\_\_\_\_ rate \_\_\_\_\_ total \_\_\_\_\_

(Signed) \_\_\_\_\_

Officer in charge,

Revenue Station.





## PART II.

RULES AND EXECUTIVE ORDERS ISSUED  
BY GOVERNMENT AND CONSERVATOR  
OF FORESTS.

NOT HAVING THE FORCE OF LAW.

## CHAPTER I.

## EXECUTIVE ORDERS RELATING TO FORESTS.

## Constitution of Forests.

## FOREST SETTLEMENTS.

In forwarding the accompanying copy of a Memorandum by the  
Government of India  
 Circular No. 6 F., dated 27th  
 April 1897.
 Officiating Inspector-General of Forests on  
 the procedure to be followed in Forest Settle-  
 ments, I am directed to say that it is hoped that  
 this Memorandum may serve as a useful guide, both to Forest Settle-  
 ment Officers and to those whose duty it may be to watch their pro-  
 ceedings on behalf of Government. The observance of the principles  
 laid down in the Memorandum should, in the opinion of His Excel-  
 lency the Governor-General in Council, tend greatly to avert the occur-  
 rence of mistakes, sometimes serious in their consequences, that have  
 occasionally arisen through Forest Settlement Officers, imperfectly  
 acquainted with the duties of their office, going beyond their legitimate  
 sphere of action, and framing settlements on principles that are at  
 variance with existing law. In the Circular Resolution of the Home  
 Department, No. 21 F. of the 31st August 1885, occasion was taken to  
 remark how much the work of Forest Settlements would gain in sim-  
 plicity and value if the officers entrusted with their execution studied  
 more carefully the provisions of the Forest Act on this important  
 subject; and it is to facilitate still further the work of the Forest  
 Settlement Officer, and to define more clearly the procedure indicated  
 by law, that the present Memorandum has been framed.

2. I am to call attention to clauses 1 to 5 of the Memorandum, and  
 especially to clause 4, as expressing the views of the Government of  
 India as to the powers and duties of the Governments in the reservation  
 of land for forest purposes.

3. With regard to Forest Settlements in general, I am to explain  
 that they are not intended to obstruct Local Governments and Admin-  
 istrations in disposing of the produce of the State forests as they may  
 deem expedient. The Forest Settlement defines rigidly, it is true, the  
 legal title of the State to the property in question, and serves to pro-  
 tect that property from the accrual of other rights than those lawfully  
 existing at the time of settlement. But when once this settlement has  
 been effected, there is nothing to prevent Local Governments and  
 Administrations from making such use of the forest resources as

appears advisable to them, subject only to the responsibility which rests upon them of having a just regard to the fiscal interests of the State.

4 Working-Plans are necessary for the proper management of the forests; but their object is simply to work the forests to which they apply in such a way that the forests may meet the demand upon them, to any extent required, without waste and without impairing the source of supply. Up to that limit, it is for the Local Government to regulate the supply of forest produce to meet local wants.

5. A Working-Plan cannot, therefore, be effectually prepared without a full and accurate knowledge of local requirements, and it has been suggested that the Forest Settlement Officer is well qualified, by the information acquired in the course of his duties under the Act, to indicate the nature and extent of the legitimate requirements of the people in regard to the forests under settlement by him. I am to state that His Excellency in Council does not object to Forest Settlement Officers being made use of *extra-judicially* to make enquiries of this kind and to supply information; but that it is their judicial function chiefly which is regulated by the Forest Act. In this respect, their duty is analogous to that of a Civil Court, which awards to either party in a suit the portion of the property under litigation which appears justly due. After judgment, the Government cannot encroach upon the share of the property awarded to other claimants, but may deal, as it thinks proper, with the portion awarded to the State.

#### MEMORANDUM.

THE object of a Forest Settlement is, in the first instance, to fix and define the legal status and extent of the proprietary rights of the State in any forest or waste land constituted or declared to be forest within the meaning of the Forest Act, which is the property of the State, or over which the State has proprietary rights, or to the whole or any part of the forest produce of which the State is entitled; and consequently to enquire and record to what extent the proprietary rights of the State are limited by legally existing adverse rights of private persons or communities; secondly, to arrange for the exercise or commutation of adverse rights so recorded, in order to allow of the property being managed with the view of obtaining the best possible return, both now and in the future, for the general public.

2. The settlement of a forest, which has resulted in its constitution as a Reserve, merely determines the rights of the Government and private persons over the forest, and in no way aims at prescribing the agency by which, or the manner in which, the forest is to be administered. The way in which a forest may be managed, or the requirements which it is intended to meet, are in every instance dictated by local circumstances. Thus, a Reserved Forest has not necessarily the object, as is frequently believed, of producing large timber for export or public works, but, more often, that of supplying the local demands in smaller timber, fuel, grass, or any other forest produce. A forest may be said to fulfil its highest function when it produces, in a permanent fashion, the greatest possible quantity of that material which is most useful to the general public, and at the same time yields the best possible return to the proprietor.

3. The settlement of forest lands under Chapter II of the Forest Act is a step which fixes for ever the respective rights of the Government and private persons over the lands; while the management of the forest is a matter that can be regulated by executive orders at any time, and in deference to altered requirements and varying demands.

4. Under section 3 of the Forest Act, it rests with Local Governments to decide what forests and waste lands, being the property of the State, or over which the State has proprietary rights, or to the whole or any part of the forest produce of which the State is entitled, should be constituted a Reserved Forest. There may be forests and wastes so situated as to make it impolitic to proceed with their settlement; others, again, may be burdened to such an extent by adverse rights of users that the benefits accruing to the State would not compensate for the expensive settlement prescribed by the Forest Act.

But, as a rule, it may be laid down that it is the duty of Government to secure the best possible legal title (as prescribed by the Forest Act) to the property, or to such share as it owns, in all forests and waste lands defined in section 3 of the Act. Having this in view, District Officers should be instructed to initiate proposals for the settlement of all forest and waste lands, against the reservation of which, in the opinion of the Local Government, no forcible reasons exist.

These proposals by the District Officers must, naturally, be of a general character only. They will simply specify the limits of the land in question in such a way as to fix its situation and to be readily intelligible to interested parties; they should not enter into any discussions likely to affect the future settlement, and render ineffective the provisions of section 5 of the Act.

5. Whenever a Local Government is satisfied that no special reasons exist why land, fulfilling the description in section 3 of the Act, should not be constituted a Reserve, the notification prescribed in section 4 should issue, and a Forest Settlement Officer be appointed.

6. The procedure of a Forest Settlement Officer may be considered under three separate heads, *vis.* :—

- (1) the procedure previous to the adjudication of claims;
- (2) the adjudication as a Civil Court;
- (3) the action taken after the adjudication of claims.

7. Under (1), the Forest Settlement Officer is required to—

- (a) specify the limits of the proposed forest; \*
- (b) explain the consequences which will ensue on the reservation of the forest;
- (c) fix a period during which claims may be preferred either in writing or in person.

8. Under (2), the Forest Settlement Officer, acting as a Civil Court, is required to record the substance of all statements regarding claims to rights invited under section 6. He is further required to make a similar record of any rights of which the existence is ascertained, whether from previous records or by local enquiry.

\* A forest tract proposed to be reserved frequently includes village lands, or lands the ownership of which is at least questionable, and it has been considered inconsistent with section 6 of the Act to permit new clearings in such lands. This circumstance may result in hardships or militate against reservation. The difficulty can be overcome by excluding these lands, by special mention, from the revisions of the preliminary notifications.

Claims can be divided into three classes—

- (1) claims to a right in, or over, land;
- (2) claims to forest produce, including pasture;
- (3) claims to right-of-way or watercourse.

With respect to class (3), the Forest Settlement Officer has only to satisfy himself of the existence of the ways or watercourses in question and to record them as such. Any action in regard to them is ruled by section 24 of the Act.

Referring to classes (1) and (2), the Forest Settlement Officer's first duty is to adjudicate on the evidence and facts before him, to decide whether the rights claimed are legally established or not, and to pass an order admitting or rejecting them accordingly in whole or in part. It is clearly the intention of the Act to settle these claims on their legal merits, and not with reference to any special objects which were had in view when it was proposed to constitute the forest a Reserve. Claims must be admitted or rejected within the limits to which the right has been substantiated. Local Governments should, as a rule, appoint some person, under section 18 (who may most suitably be the local Forest Officer), to attend at the enquiry, plead, and act on behalf of the State before the Forest Settlement Officer. This person will have a proper legal standing, be able to cross-examine witnesses who support claims, produce evidence to rebut claims, comment on any documents or evidence; and if he desires to prefer an appeal against any decision, the Forest Settlement Officer should give him a certified copy of such decision. It is of vital importance that only such rights should be admitted as are legally proved to exist, and then only to the extent proved.

There is nothing in the Forest Act that justifies that Forest Settlement Officer in providing for the prospective wants of non-existing settlers, or for a future and possibly more numerous generation; nothing that permits the concession, by a Forest Settlement Officer, of more extensive rights than those which he finds to exist at the time of settlement. The rights claimed must be actually existing rights, vested in an individual or person, or in a definite body of persons, such as, for instance, a number of co-owners, or a village community. They may be rights in gross, unconnected with the ownership of immovable property (houses or land), or they may be rights attached to the ownership of such property. They may be rights enduring only for a certain period, or for the life of the person in whom they are vested, or they may be rights which will pass to the heirs of that person, or pass in perpetuity with the property to which they are attached. But they must be existing and vested in some person, or body of persons, who can claim them at the time of settlement.

If the Forest Settlement Officer is permitted to provide for the indefinite prospective wants of an indefinite prospective number of right-holders, he may be providing for the gradual absorption and final extinction of the actually existing rights of the State.

It is conceivable that a claimant might establish a right of such a nature that it would possibly, in course of time, entitle him to larger benefits from a forest than he was entitled to at the time of settlement. For instance, he might show that he was entitled to pasture for all cattle employed by him in the cultivation of this land, and he might be in possession of extensive waste land, which he was gradually

bringing under cultivation—a process which, of necessity, would tend to increase the number of his cattle. Here the Forest Settlement Officer, though dealing only with “actually existing rights,” would also have to take into account “prospective wants.”

In such a case, which could probably only arise when the right in question had been specially conferred by the terms of a former grant, revenue settlement, or *sauad*, it would seem reasonable to admit the same within a maximum, which should be determined with reference to the rights actually enjoyed by the claimant at the time of making the record, and with due regard to the potential capabilities of the forest.

A prescriptive right, to exist at all, must be proved to have been regularly exercised in the past; and in no case can a prescriptive right over any forest be held to have been acquired by the continuous purchase of its produce from the owner, the element of adverse enjoyment and of enjoyment as of right on which prescription rests being wholly wanting.

In regard to rights of class (1) admitted in whole or in part, three courses are open to the Forest Settlement Officer, and these are clearly stated in section 10 of the Act.

With regard to rights of class (2) similarly dealt with under section 11, the Forest Settlement Officer is to record, in the manner proscribed in section 12, his decision in all cases, whether in favour of the claimant or otherwise; and it would probably be found convenient if the Settlement Officer briefly entered an epitome of the grounds for his decision, the evidence and finding being, as a matter of course, duly recorded at length in the judicial proceedings. Providing for this and other details of procedure within the provisions of the Act, as explained in this Memorandum, the Local Governments may also make rules, under section 75 (d) of the Act, similar to those issued by the Government of Madras under section 63 (b) of Act V of 1882.

Section 13 of the Act provides for a complete record of the extent of such rights as have been admitted, and of the limits within which claim have been established. The preparation of this record brings to a close the duties of the Forest Settlement Officer when proceeding as a Civil Court.

9. The Forest Settlement Officer should now proceed, with due regard for the maintenance of the forest, to arrange for the continued exercise of the rights to the extent admitted.

Under section 14, he is at liberty to adopt one of three courses—

- (a) Transfer the burden of the right to some other conveniently situated and available forest.
- (b) Alter the proposed boundaries, so as to exclude an area of forest sufficient for the exercise of the rights admitted, and convenient for the purpose.
- (c) Record an order continuing the exercise of the right to the extent admitted, at such seasons, in such portions of the forest, under such rules as may, from time to time, be prescribed by the Local Government.

It is evident that this section is only intended to regulate the legally admitted rights, and gives no power to alter or extend such rights.

If the Settlement Officer acts under (a) or (b), the section explains clearly enough what course he should follow.

Under (c), the Forest Settlement Officer must record an order declaring that the claimants of the admitted rights may continue to exercise the rights to the extent admitted, (a) at such seasons, (b) within such portions of the proposed forest, and (c) subject to such rules as may, from time to time, be prescribed by the Local Government.

The rules that are here referred to must not substantially detract from the rights of either the claimant or the State. Such rules are not intended to define the legal status of rights claimed, but only to control the exercise of rights admitted: for the power to make such rules is limited, and does not extend to fixing the number of cattle which a right-holder may send into the forest, or the amount of produce he may extract. An order admitting a claim to rights of pasture or forest produce cannot, therefore, be limited or extended by any declaration in rules framed under section 14 (c) of the Forest Act.

The rules might be such as to require, *e.g.*, cattle to be marked, to wear bells, or produce to be removed by certain roads.

In cases where the right admitted and recorded is of such a nature that it would, in course of time, entitle the right-holder to larger benefits from the forest than he enjoyed at the time of settlement, a maximum should be fixed in such a way as to render substantial justice to the claimants and to the State, having due regard for the well-being of the forest.

*E.g.*, for a few years immediately preceding settlement, the cattle of a village may have been considerably reduced by disease or other causes. It is, in this case, obviously desirable to fix a maximum number of cattle in excess of what exist. Similarly, a village, owing to dacoities, has been reduced by the emigration of some of its inhabitants, who, in more settled times, may be expected to return. In such a case it may be necessary to fix the bamboos, &c., at a quantity in excess of actual present requirements.

Section 15 provides that if a Reserved Forest cannot be maintained as a forest side by side with the continued exercise of such rights as have been admitted over it, the Forest Settlement Officer may commute such rights as render a proper treatment of the forest impossible, either by cash payment or by the grant of land, or in such other way as he thinks fit. The Local Government may make rules in reference to this question, which may prescribe the basis upon which money compensation may be assessed, or land be given in exchange (Madras Government Notification, G. O. No. 970, dated 27th August 1884, paragraphs 12 and 13).

10. It is, without doubt, desirable that a professional Forest Officer should be associated with the Forest Settlement Officer to assist and advise as to the action the latter may wish to take under sections 14 and 15. The question whether a forest can be maintained or not under exercise of certain rights, and whether section 14 or section 15 is applicable to the case in point, is one demanding practical experience and professional knowledge; and the advice of the Forest Officer, besides being useful as a means of pointing out what is practicable to effect with due regard to the maintenance of the forest, should also prove of material assistance in arranging for a settlement of all claims on a simple and stable basis.

The Forest Officer may be usefully consulted in the final selection of boundaries.





15. Under section 21, the Local Government may, within five years, revise any arrangement, rescind or modify any order, under sections 14 and 17, including any orders of revision passed by them under the latter section, provided such arrangements or orders are replaced by some other of the proceedings possible under section 14 or 15. No new rights can be admitted under this section.

16. Under section 22, no right of any description can be acquired in or over a Reserved Forest, except by succession or under a grant or contract in writing made by or on behalf of the Government, or of some person in whom such right was vested when the notification under section 19 was issued.

### AMENDED DESCRIPTION OF BOUNDARIES.

2. Cases arise in which it may be desirable to publish, by means of a fresh notification, amended descriptions of the boundaries of Forest Reserves already notified under section 19 of the Indian Forest Act or under other forest enactments. It has been ascertained that there is no legal objection to this course, if the fresh notification merely provides for the substitution of a more exact and definite description of the boundaries for that which was originally notified, and which, though purporting to describe the boundaries as they existed at the time, has subsequently become incorrect or proved to be open to misconstruction. The appended form of notification is considered suitable for such cases, and may be employed whenever necessary. This procedure must not be held to extend to any such alteration of the boundaries, on the ground as would involve either the inclusion of new areas or the exclusion of any lands which have been declared by the previous notification to be Reserved Forest. Such changes require either a new settlement of the additions it is proposed to make, or, in the case of disforestation, the previous sanction of the Government of India.

### NOTIFICATION.

With reference to Notification No. , dated  
published under section of the [Indian Forest Act (VII of 1878)]  
at page of the Government Gazette of the ,  
declaring the forest to be a Reserved Forest,  
is pleased to direct that the following amended and more accurate  
description of the boundaries of the said forest be substituted for the  
description contained in the said notification.

### DISFORESTATION.

3. The Governor-General in Council is pleased to direct that a draft notification in the form appended to this Resolution shall, subject to such minor modifications as local circumstances may render expedient or necessary, accompany every application for sanction to disforest.

Government of India No. G.F.,  
dated 10th March 1902.

The Governor-General in Council is further pleased to direct that in all such applications it should be stated whether or not the local Revenue and Forest Authorities agree to the disforestation proposed; and that, in the event of any objection to such disforestation being urged, its nature should be recorded for the information of the Government of India.

The advisability of submitting with the application a map illustrating the proposals made should be considered in each case by the Local Government or Administration concerned.

#### DRAFT NOTIFICATION.

His Excellency the Governor in Council, }  
 The Lieutenant-Governor, } with the previous sanc-  
 The Chief Commissioner, } tion of the Governor-  
 General in Council, is hereby pleased to declare, under the provisions of section            of            that the area specified below, which, in Notification No.           , dated the           , was declared to be Reserved Forest under section            of that           , shall cease to be Reserved Forest with effect from the           :—

#### SPECIFICATION OF LAND DISFORESTED.

Name of Reserve or portion of Reserve disforested.	District.	Pargana.	Mauza.	Area in acres.

Boundaries.

Brief description.

Reasons for disforestation.

#### Forest Villages.

4. The object of establishing forest villages is to obtain a sufficient and continuous supply of labour for fire-protection and other works of improvement, and with this end in view cultivators should as much as possible be encouraged to form forest villages and cultivate service lands in Reserved Forests in return for labour given.

Accordingly the following points should be observed in the execution and record of Agreement Form No. 39C, which has been proscribed for the purpose :—

1. A separate series should be allotted to each forest village, and a separate serial number given to the agreements executed by each villager in any one village for record in the register referred to below.

Conservator's Circular No. 25, dated the 25th April 1905.  
Note, Clause IV of the agreement should be cancelled except in those forms executed by village headmen.

2. A register should be maintained in each division for entry of the following, for which separate pages should be allotted :—

- (a) Description of each village.
- (b) Demarcation of its boundaries.
- (c) Tracing of the area assigned.
- (d) The number of cultivators admitted, and
- (e) The special objects for which the establishment of village was intended to serve.

3. A permit should be issued to each cultivator who enters into such an agreement on which the following details should be recorded :—

- (a) Name of cultivator and serial number,
- (b) Name of village, and
- (c) Area of land assigned for cultivation.

4. No new village should be started without the prior permission of the Conservator being obtained through the District Officer.

5. Progress in establishing such villages and results, if any, should be commented upon by each divisional officer, in Chapter V of his Annual Report.

### Working-Plans.

5. In regard to certain working-plan reports, submitted for my opinion under section 90 of the Forest Department Code, I observed that the method of sylvicultural treatment proposed had been inadequately discussed and justified, and I have accordingly the honour to address you on the subject.

2. Section 89 of the Code is in this respect perhaps insufficiently clear. It rules that, in working-plan reports under "method of treatment," the following subjects shall, as far as possible, be discussed :—

- (a) Object sought to be obtained.
- (b) Method of treatment adopted.
- (c) The exploitable age.

3. It is obvious that for every forest there is only one method of treatment which is sylviculturally the best, and which ought to be adopted if circumstances so permit. But circumstances do not always permit, and in the case of our Indian forests, they rarely permit, the unqualified application of the theoretically correct plan. Thus we may frequently be obliged to adopt, during a period of known duration, a preliminary course of treatment preparatory to the application of the sylviculturally correct method. Or we may be forced to have recourse

to a method which is not the best, but which we are constrained to apply during an indeterminate period, in order to satisfy conditions, such as the want of demand now existing and expected to obtain more or less indefinitely.

4. I need not enlarge upon the disadvantage of dealing in the working-plans report *only* with the method which it is proposed to immediately apply, but which may not necessarily be the best from a purely sylvicultural point of view. In the first place, it would in that case be almost impossible for anybody not personally acquainted with the local circumstances to understand why a method of treatment, which *prima facie* is sylviculturally superior, *i.e.*, better suited to the physical conditions of the forest, had not been adopted. Moreover, circumstances, such as the demand for produce and the like, may, and in many places will, almost certainly, improve, and thus admit of better sylviculture.

5. I have therefore the honour to request, with reference to sections 86 and 89 of the Forest Department Code, that where the treatment deemed theoretically correct cannot at present be applied, it may none the less be briefly discussed and clearly indicated in the plan. Any unavoidable departure from that method should then as far as possible be explained and justified in detail. Lastly, the plan should review the probable results of the treatment it is proposed to apply, and should explain how and to what extent the improvement of the crops is provided for. In treating of the best possible sylvicultural method, the three subjects mentioned in paragraph 2 above may suitably be taken together but consecutively. In other respects, and provided the spirit of the foregoing instructions is observed, the arrangement prescribed by the Code may conveniently be followed.

### Deviations from Working-Plans.

6. In some Working-Plans lately submitted to me, under section 90 of the Forest Department Code, I have noticed that orders have been prescribed permitting light or short fellings when the demand is not equal to the possibility of the annual coupe, and prohibiting unworked area balances being brought forward for more than one year. In my opinion the principle on which these orders are based is frequently open to objection, especially in cases where the improvement of the future forest is the main object of the plan. Where a certain treatment is laid down for a forest it seems inadvisable to leave a coupe half worked through and to proceed to the next which, in its turn, remains more or less incompletely exploited. Such action must result in some or all of the coupes containing, at the end of the rotation, a stock of material which should have been removed in the interests of the forest.

2. It must of course be frequently the case that, pending the development of the demand, the whole possibility of a coupe cannot be utilized, and this must be more particularly the case in the early years of the first rotation. But nevertheless I believe that the fellings should follow each other regularly; that is to say, that, the cuttings of each successive year should continue those of the year preceding, for, if this be done, then any balance that may remain at the end of the rotation will be comprised in one complete block, instead of existing in

patches scattered all over the forest. If during the course of the rotation the demand should be found to increase, the existing balance can be felled and the provisions of the plan fully complied with; while if, on the other hand, the demand does not rise sufficiently to allow the possibility to be removed, then the necessary reduction in the size of the annual coupes will be easy to carry out at a revision of the plan.

3. I consider therefore that each coupe should be completely worked over in accordance with the sylvicultural treatment prescribed, and that unexploited area balances should be brought forward until they are completed; and I beg to request that this opinion may be circulated to all Forest Officers in your circle, and that it may be borne in mind when drawing up Working-Plans in future.

It is hardly necessary to add that the above remarks apply only to the felling prescriptions, and that the provisions of the plan relating to fire-protection, closure to grazing, and other works of improvement should be carried out in each coupe as prescribed.

Government of India's  
Circular No. 20 F., dated 6th  
September 1893.

Working-Plans should provide that works—

- (a) of sylvicultural improvement, or
- (b) connected with lines of communication and export (the execution of which in any year may largely depend on uncontrollable or unforeseen circumstances),

should be carried out during a certain period of years. Such works might be allotted in the plan to particular years, the allotment to be binding on the local officers unless and until the Conservator had sanctioned the total or partial postponement of the work or other deviation, reasons for which would be invariably recorded in Form No. 4. As regards (c) buildings, demarcation and minor works of improvement, general plan for a term of years might be prescribed, deviations from which would require the sanction of the Local Government. But the manner in which the details of the plan would be carried out from year to year within the limit laid down might be controlled solely by the Conservator, who would record in Form No. 4 whether suggestions made in the plan, under this head, for each year's working had been carried out or not, and if not, why not.

Bengal Government letter No.  
844 T. E., dated 11th October  
1897.

The powers noted above are conferred on the Conservator of Forests, Bengal, in respect of working-plan now in existence.

#### Miscellaneous Orders.

7. Before a working-plan is submitted to the Conservator of

Bengal Government letter No.  
464 T. E., dated 13th June 1899.

Forests, Bengal, for transmission to the Inspector-General of Forests to the Government of India, the Forest Officer who prepares it must invariably show it in draft to the Collector or Deputy Commissioner of the district concerned with a view to allow him an opportunity of recording his opinion on it and offering his advice.

8. It is inadvisable that a Working-Plan should contain any strict prescriptions regarding the agency of exploitation, as this may require changing from time to time according to local circumstances. The best method of exploiting the produce may properly be left to the local officers to determine, and need not be prescribed in Working-Plans.

Inspector-General of  
Forests Circular No. 13  
W. F. - dated 20th June 1897.

9. Working-plans officers should be careful to see that errors and mistakes in statistical data in working-plan reports should, as far as possible, be avoided. The Conservator of Forests should arrange to have all figures checked either in his own or in the Divisional Forest office, which can most suitably be done in the final proof copy of the plan before printing off.

Inspector-General  
Forests' Circular No. 6  
W. P., dated 4th September  
1902.

10. Each Working-Plan should contain as an Appendix a concise summary of the prescriptions of the plan by working circles in order to facilitate the preparation and check of control forms.

Inspector-General  
Forests' Circular No. 15  
W. P., dated 4th August  
1897.

11. A description of the character of such forests as may be explored and examined, together with estimates of yield and other data of interest as regards future working, should be entered in an official diary kept up by the Conservator and forest officers subordinate to him. Such diaries should be filed in the offices to which they belong.

Government of India  
Circular No. 68, dated  
12th March 1893.

### Definition of certain Terms.

Conservator's Circular  
No. 67, dated 24th May 1901.

12. The relative meanings of the terms—

- (1)—Early thinnings;
- (2)—Other operations for the improvement of the growing stock;
- (3)—Improvement fellings;

are as follows:—

2. The term "Improvement felling" should be only used to describe an exploitation of major forest produce, i.e., timber or fuel which is expected to be utilized departmentally or by purchasers, and any expenditure incurred on such an operation should be debited to AI, AII or AVII sub-heads; and improvement fellings should be understood to include all preliminary fellings yielding utilizable produce which are undertaken with a view to improving the condition or constitution of an existing crop and leading up to the introduction of a regular system of treatment. Thus thinnings should be regarded as improvement fellings when they yield utilizable produce.

3. By early thinnings are meant thinnings made in young crops of which the produce is not usually marketable. The cost of such early thinnings should be usually debited to sub-head AVIIIg.

4. Other operations for the improvement of the growing stock include weeding, cleanings, and creeper cutting which do not yield or are not expected to yield utilizable produce. Such operations may include the cutting of large trees, and their cost should be debited to sub-head AVIIIg, unless the operations amount to plantation works.

### Maps to illustrate Working-Plan Reports.

13. When submitting preliminary reports for the preparation of Working-Plans, as prescribed in Article 85, Forest Department Code, a small sketch map showing roughly the proposed working-circles and any other information that can be conveniently included with the object of more clearly setting forth the proposals for future working than would be possible by means of manuscript description alone should be sent.

Inspector-General  
Forests' Circular No. 6  
W. P., dated 10th June  
1905.

### Sample Plot Rules.

#### SECTION I.

14. Rules regarding the upkeep of sample plots established with the object of determining the mean annual increment in each girth class and the number of years required for a tree of any one girth class to pass into the next.

Conservator's Circular No. 71,  
dated 6th June 1910.

Rule I.—For this purpose sample plots will be established as follows:—

Species.	Division.	Number of sample plots.	REMARKS.
Sál ...	Darjeeling	One	At Riang in the Tista Valley.
-	Kurseong	Five	Three in the plains sál forests of the Sukhna and Balasan Ranges, and two in the hill sál forests of the Sukhna Range.
-	Tista	Three	One on one of the flats along the Tista Valley, and two in the hill sál areas of the Tista and Ohel Ranges.
-	Puri	Two	Existing sample plots Nos. II and III in the Southern Range to be retained and improved. The two existing plots established to ascertain the girth and height increment of sál standards among coppice should be retained also.
-	Angul	Four	The Sealidamak sample plot in the Raigoda Range to be abandoned. Two plots in each of the Raigoda and Baghmunda Ranges to be maintained and improved.
-	Sambalpur	Two	Plots to be selected in the Sambalpur Range either new or from among those already kept up.
-	Chaibassa	One	To be selected in protected forest in the Singhbhum district.

Species.	Division.	Number of sample plots.	REMARKS.
Sal ...	Singhbhum	Six	Two in the valley type, two in the half-valley type, and two in the hill type.
	Palamau	Two	Selected from among existing plots as capable of improvement.
Sundri	Sundarbans	Five	Three in Bagerhat Circle and two in Khulna Circle. In Bagerhat only one of the Murabhola plots will be maintained.
Khair	Palamau	Two	Selected from among existing plots as capable of improvement.
Tan } Lam- } pati. }	Darjeeling	Two	In the Tista Valley Range.
	Tista	Two	One in each of the Tista and Chul, or Jaldaka, Ranges. These plots will be formed and measured for the first time during the period December 10th to February 11th.

*Rule 2.*—The girth classes to be selected for measurement shall be as follows:—

SAL	I.	From and including 3 ft. in girth up to	but not including 4 ft. 6 in. in girth.
	II.	Ditto	4 ft. 6 in. ditto
	III.	Ditto	6 ft. ditto
	IV.	Over 7 ft. in girth.	7 ft. ditto.

*NOTE.*—In the Palamau Forest Division Class I will be from and including 2 ft. in girth up to but not including 3 ft. girth, and Class IV will be over 6 ft. in girth.

SUNDRI	I.	From and including	1 ft. 6 in. in girth up to	but not including 2 ft. in girth.
	II.	Ditto	2 ft.	ditto
	III.	Ditto	2 ft. 6 in.	ditto
	IV.	Ditto	3 ft.	ditto
	V.	Over 3 ft. 6 in. in girth,		3 ft. 6 in. ditto.



KHAIR I. From and including 1 ft. in girth up to but not including 1 ft. 6 in. in girth.				
II.	Ditto	1 ft. 6 in.	ditto 2 ft.	ditto.
III.	Ditto	2 ft.	ditto 2 ft. 6 in.	ditto.
IV.	Ditto	2 ft. 6 in.	ditto 3 ft.	ditto.
V. Over 3 ft. in girth.				

TUN, LAMPATI, and other valuable species.	I. From and including 3 ft. in girth up to but not including 4 ft. 6 in. in girth.			
	II.	Ditto	4 ft.	ditto 6 ft. ditto.
	III.	Ditto	6 ft. 6 in.	ditto 7 ft. ditto.
	IV.	Ditto	7 ft.	ditto 8 ft. ditto.
	V. Over 8 ft. in girth.			

**Rule 3.**—The size of each sample plot shall be such as may be necessary to include—

- (i) *For Sal.*—Not less than 30 stems of each of Classes I and II, 10 stems of Class III, and as many stems of Class IV as may be found in the area.

**NOTE**—In the hill type forests of Singhbhum and Kurseong the minimum numbers of stems shall be 30 in Class I, 20 in Class II, and as many as may be found in the plot of Class III: Class IV may be disregarded. Among the special classes fixed for the Palamau Division the minima shall be 30 in Class I, 10 in Class II, and as many as may be found in the plot of Classes III and IV.

- (ii) *For Sundri.*—Not less than 50 stems of Class I, 30 stems of Class II, 20 stems of Class III, and as many stems of Classes IV and V as may be found on the area.

- (iii) *For Khair.*—Not less than 30 stems of Classes I and II, 15 stems of Class III, and as many stems of Classes IV and V as may be found on the area.

- (iv) *For Tun, Lampati, &c.*—Not less than 15 stems in each of Classes I, II, and III, and as many stems of Classes IV and V as may be found on the plot.

**NOTE**—Where it is not possible to obtain the proscribed number of stems in each girth class in one sample plot of reasonable size, it will be necessary to establish separate plots for the various girth classes. There is no objection to the selection of a larger number of stems than the minimum proscribed in any girth class.

**Rule 4.**—Only healthy, vigorous, and normally developed trees will be selected for measurement. Isolated trees with large crowns, malformed stems, coppice shoots, or stems within half a chain of any road, fire line, or other clearing will not be selected. In the Sundarbans Division stems classed as "pucka" will not be selected as type trees.

**Rule 5.**—Unless ordered otherwise each sample plot will be demarcated by a ditch 2' x 2', the salient corners being marked by pillars or good substantial posts, dressed and tarred. In the Sundarbans Division the plots will be demarcated by a cleared line 3 feet wide, while a path of similar width will be cleared from the edge of the nearest khal to the plot.

**Rule 6.**—In the Kurseong Division the position of each tree selected for measurement will be recorded on large scale maps

1 inch=1 chain), to be prepared by the Forest School students as part of their survey course.

*Rule 7.*—Type trees will be numbered serially by means of numbers painted on the trunks of the trees in such a manner that, as far as may be possible, each number shall be visible from the trees immediately above and below it in the series.

*Rule 8.*—The point of girth measurement will be denoted by a band of white paint round the bole of the tree, the following details being carefully observed:—

- (a) The rings will be at right angles to the axis of the tree.
- (b) Generally the rings will be at breast height from the ground (4' 6"), this height being raised or lowered to such extent as may be necessary to avoid irregularities or excrescences on the stem. In the Sundarbans Division the rings will be at such height from the ground as may be necessary to avoid the measurements being rendered useless by the upward growth of buttresses.
- (c) A good brand of zinc oxide paint will be used to avoid frequent renewals.

*Rule 9.*—At the time that the plots are laid out in accordance with these instructions, and every fifth year thereafter, moderate thinnings will be carried out in the sample plots to such extent as may be necessary to benefit the selected type trees. Moderate thinnings include the removal of any trees actually overtopping the selected type trees and of such stems as are actually interfering with the lateral development of the crowns of the selected trees: the result to be aimed at is to leave the crowns of the selected trees so that they will just touch the crowns of adjoining trees when shaken by the wind. In the Sundarbans Division, owing to the danger from eyolones and to the great propensity of the sundri to throw out epicormic branches and buttresses, the thinnings in sample plots will be lighter than those described above: they will aim at leaving the selected type trees with their crowns very nearly touching those of the adjoining trees, and they will not remove suppressed or overtopped stems, the retention of which is required to prevent the growth of epicormic branches.

*Rule 10.*—The girths and heights of the selected type trees will be measured in the first and every fifth year, either by the Divisional Officer personally or by a gazetted officer attached to the Division. In intermediate years heights will not be measured, and the measurements of the girths may be entrusted to the Range staff. The plots will be inspected annually (the rings and numbers being repainted when necessary), and a report on their condition submitted to the Divisional Forest Officer.

*Rule 11.*—All measurements will be made between the 1st of December and the end of February, and it is essential that a period of twelve months, or a multiple of that period, should elapse between successive measurements. Thus if the first measurement of a plot is made in December, subsequent measurements must take place in the same month, and not at any other time.

*Rule 12.*—Girths will be measured with steel tapes graduated in inches and tenths of an inch, and with the upper edge of the tape touching the upper edge of the ring. Heights will be measured with Brandis' clinometer.

*Rule 13.*—Girths will be recorded in inches and decimals of an inch. Heights will be recorded in feet.

*Rule 14.*—At each recurring measurement the selected type trees will be classified as follows:—

- (a) Dominant (= d in Register).
- (b) Dominated ( $= \frac{d}{1}, \frac{d}{2},$  or d in Register).
- (c) Buttressed (= b in Register).
- (d) Dead.

*Rule 15.*—The Register of Sample Plots will be kept up in the attached Form No. 1, a separate register being maintained for each plot. In this connection attention is directed to paragraph 12 of Circular No. 370 of 17th February 1910.

*Rule 16.*—The periodical mean annual girth and height increments for each 5-year period will be calculated for each girth class and for all girth classes combined, up to and including the largest girth class in which type trees have been selected for measurement. The results will be entered in the attached form No. 2.

*Rule 17.*—A copy of the first entries made in Form No. 1 for each sample plot will be forwarded to the Conservator, and the entries to be made in this form and in Form No. 2 at the end of each 5 year period will be reported also.

## SECTION II.

*Rules regarding the upkeep of sample plots with the object of determining the rate of girth and height development of selected type coppice shoots.*

*Rule 1.*—For this purpose sample plots will be established as follows:—

Species.	Division.	Number of sample plots.	REMARKS.
Sál ...	Sonthal Par-ganas.	Two ...	In the "old reserve."
	Palamau ...	One ...	In the Koderma Reserved Forest. Another should be formed in a selected protected forest when systematic working is introduced in these areas.
	Puri ...	One ...	In a selected forest of the Northern Range.
Kongra	Puri ...	One ...	In a selected forest of the Northern Range.

The collection of the required data will be carried out in accordance with the directions given in paragraph 16 of Circular No. 370 dated the 21st February 1910, and with the rules given on pages 56-57 of Forest Pamphlet No. 8. The Register of Sample Plots will be maintained and the calculation of the mean girth and mean height development will be recorded in the forms given on pages 58 to 61 of that pamphlet.



**Instructions drawn up by Legal Remembrancer for the guidance of Forest Officers in dealing with drift and stranded timber.**

15. As regards drift or stranded timber of which Government is the undisputed owner, *e.g.*, where the trees are uprooted from a forest of which Government is the proprietor, possession may be taken without reference to the provisions of the Indian Forest Act (Privy Council Judgment,\* page 517, last two lines, to page 518). But where it cannot be clearly ascertained that the timber comes from Government land and in all cases of doubt or possible dispute, the procedure laid down in Chapter IX of the Act (sections 45 to 51) should be followed, if the Forest Officers wish to take possession of the timber at all.

Bengal Government letter No. 4216, dated 31st December 1900.

2. The kinds of timber which Forest Officers may collect are those described in section 45.

3. The first step to be taken is to establish depôts, at convenient places, for the reception of drift timber (section 45).

4. The next step is to notify such depôts and changes in them from time to time (section 45). A copy of each notification, with the proof of its publication, should be recorded in the office for future use in the event of litigation.

5. All drift and stranded timber should be collected and removed to some notified depôts (section 45).

"The so-called presumptive ownership of the Government does not exist, save in those cases where the Government collects" and performs its statutory duty as prescribed in the Act (Privy Council Judgment, page 519, and of first paragraph).

6. The next step enjoined by the Act (section 46) is the publication of notices of all timber collected, in the manner described in section 46. Printed forms of notice should, I think, be used, and proof of its publication, with names of witnesses, preserved in the office.

7. Should any claims be preferred within the stated period of not less than two months (section 46), the enquiry prescribed in section 47 should be held. The section is clear and precise and need not be reproduced here.

8. All unclaimed timber and all timber in respect of which any claims preferred have been rejected by the Forest Officer after due enquiry vests in Government, but not until the expiration of the period of notice, and of further three months allowed by section 47 to an unsuccessful claimant for instituting a suit. In the event of a suit, the timber must abide the result (section 48).

9. A claimant whose claim is allowed is bound to pay all costs before the timber is delivered to him (section 50).

10. The rules, if any, framed by the Local Government under section 51 should be followed.

If the above procedure is not followed, that is to say, if drift and stranded timber is not collected and removed to notified depôts, and if notices are not duly published and claims invited, heard and adjudged, the Government cannot legally appropriate the timber to itself, unless it happens to be entitled to it by proprietary right like any private owner.

\* Amriteswar Debbarh Secretary of State, I. L. R., XXIV, Cal., p. 504.

There is nothing in the law to prevent depôts being multiplied and established at all convenient places.

Forest Officers should clearly understand that the main object of Chapter IX of the Act is to prevent disputes and to protect the true owner "against depredations by persons having no title" (Privy Council Judgment, page 513, last paragraph). The object is the regulation of rights (page 515). It is only unclaimable or unclaimed timber that vests in Government, though the onus of proof in all cases lies on the claimant (sections 45 and 68).

### Execution of Contracts.

17. With reference to that part of the Resolution of the Government of India, in the Home (Judicial) Department, No. <sup>3 Judicial</sup> 488-601, dated the 28th March 1895,

Bengal Government Notification No. 839 T.—R., dated 23th October 1895.

which declares that contracts and other instruments in matters connected with the administration and working of forests, and with the business of the Forest Department generally, may be executed by Conservators, Collectors of Districts, Deputy, Assistant, Extra Deputy and Extra Assistant Conservators of Forests, to such extent and within such limits as the Local Government may prescribe by notification in the official Gazette, the Lieutenant-Governor is pleased to prescribe the following rules:—

1. No officer other than those of the classes mentioned in the following rules shall be empowered to enter into a contract on behalf of Government in matters connected with the administration and working of forests, and with the business of the Forest Department generally.

2. Any Forest Officer appointed by an order in the *Calcutta Gazette* to hold charge of a Forest Division shall be empowered to enter into and execute contracts and other instruments in matters connected with the administration and working of forests, and with the business of the Forest Department generally, within his jurisdiction, including leases of land, but not including contracts relating to the purchase or sale or permanent acquisition of land, provided that the value of the property to which the contract or instrument relates, or the amount of the expenditure involved, does not exceed Rs. 2,000.

3. Similar powers shall be exercised by the Conservator, where the value of the property or the amount of expenditure involved exceeds Rs. 2,000, but does not exceed Rs. 10,000.

4. Where the value of the property or the amount of the expenditure involved exceeds Rs. 10,000, the contract shall be executed by the Secretary to the Local Government in the Revenue and General Department (Forests).

5. Divisional Officers should have these contracts drawn up in Adopted Form No. 39, 39 A or B and executed in the presence of an attesting witness. All contracts for sums exceeding Rs. 2,000 should be forwarded to the Conservator of Forests.

Conservator's Circular No. 200, dated the 30th October 1905.

*Note.*—Contracts and agreements made with the Forest Department are exempt from stamp duty, vide Appendix A (2), page 81.

## Disposal of Forest Produce.

### Sale of Forest Produce.

18. Divisional Officers should in cases in which the Conservator's sanction to the sale of forest produce is necessary state whether the full value of the produce is to be recovered in one or more instalments, and also quote the latest date fixed for payment. In cases in which the sales fall within their powers the above details should be given in the remarks column of Form No. 10, *vide* Article 107 of the Forest Department Code.

Conservator's Circular No. 323,  
dated the 5th January 1903.

### Mode of realizing Revenue.

#### BY THE USE OF FOREST STAMPS.

19. The sale of forest stamps and their use on licenses for the removal of forest produce, and the method of check on the accounts necessitated by their use, are regulated according to the following system:—

#### SYSTEM OF FOREST STAMPS.

The main principles adopted are—

- (1) that vendors shall have as little as possible to do beyond selling the stamps and crediting the money into the Treasury;
- (2) that the classification of forest revenue for departmental purposes shall be done by paid officials of the Forest Department.

2. Some difficulty has at times been experienced owing to the inability or unwillingness of licensed vendors to themselves attend at the Treasury and receive the commission due to them, or to authorize by power-of-attorney their agents or servants to receive it for them.

In order to abate this difficulty, it has been decided that the discount due on the purchase of forest stamps shall be payable to the stamp-vendor's agent or servant on production by the latter of a stamped receipt signed by the stamp-vendor for the amount of commission due. As this commission or discount is payable at the rate of one anna-per rupee, the stamp-vendor should experience no difficulty in making out his receipt.

The receipts may be endorsed on the back of the chalan presented by the stamp-vendor or written on a separate paper. With a view, however, to maintain simplicity of procedure and save trouble in the Treasury, the receipt in question should ordinarily be endorsed on the chalan. It will then be necessary for stamp-vendors to keep by them a stock of chalans and to fill them up themselves, endorsing a receipt for the discount before despatching their servant or agent to the Treasury, and stamping the endorsement when necessary. With a view to checking frauds, Treasury Officers should obtain a specimen of the stamp-vendors' signatures, and it would be an advantage if a particular servant or agent were ordinarily employed for this purpose by each stamp-vendor.

3. The security bond to be taken from vendors should be in Form A (Appendix I).

## RULES TO REGULATE THE SALE OF FOREST STAMPS.

## 1. Licensed vendors are of three classes—

- (1) Salaried vendors, being men already in the service of Government who are employed in checking produce leaving the forest. An advance of stamps will be given to them, but they will receive no commission or discount on sales.
- (2) Licensed vendors to whom an advance of stamps will be given and who will receive a commission of 9 pies in the rupee on sale receipts.
- (3) Licensed vendors who purchase supplies of stamps from the Treasury for cash and receive a discount on their purchases of an anna in the rupee.

The amount of advances admissible to vendors of classes (1) and (2) will be fixed by the Forest Divisional Officer with the sanction of the Deputy Commissioner, and security <sup>(1)</sup> must be furnished by them to a limit which shall be fixed by the same authority.

2. The Forest Divisional Officer will furnish the Treasury Officer with a statement in Form B (Appendix I), showing the persons who have been appointed vendors, and the rate of commission and discount admissible to each. Any additions to this list should be reported to the Treasury Officer by the Forest Divisional Officer from time to time in the same form.

3. Licensed vendors of class (3) must make their own arrangements for procuring stamps from the Treasury.

Licensed vendors of classes (1) and (2) must either attend at the Treasury in person or by agent, or may send their indent by post, remitting the cost of stamps, less commission due, if any. The cost of such remittance shall be recovered from the Forest Department.

The Forest Officer may also, if he prefers, arrange for the collecting of the receipts from, and the supply of stamps to, any vendor through his own subordinates.

For this purpose any Forest subordinate may receive an imprest advance of stamps from the Treasury to an amount to be fixed with the approval of the Deputy Commissioner.

A Range Officer (or any other subordinate) providing stamps under these rules to an authorised vendor out of his imprest advance should not charge direct on his accounts the amount of commission allowed in his purchase, but should forward the license vendor's indent with the amount, less commission due, to the Treasury Officer, who will issue to the Range Officer stamps to the value of the amount of the indent (adjusting the commission in his book), thus making up the full amount advanced by the Range Officer.

4. All applications for stamps shall be in Form O (Appendix I) in triplicate. Not less than Rs. 5 worth of stamps shall be indented for at one time, nor shall stamps of one kind be issued for fractions of a rupee.

5. Treasury and Sub-Treasury Officers shall, whenever practicable, comply with such indents in full, or, if unable to do so, will note the stamps actually issued on the indents. After signing the certificate, one copy of the indent will be returned to the licensed vendor and the other retained for transmission to the Forest Officer. (See Rule 16 below.)

6. The licensed vendor will maintain a stamp ledger in Form D (Appendix I). All receipts and issues will be entered in this as they occur, and the balance struck daily.

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(1) Form of security prescribed in Appendix I.



## DISPOSAL OF FOREST PRODUCE.

On the last day of the month, or oftener if the Forest Divisional Officer so directs, the licensed vendor will forward a statement of the receipts and issues during the month and the balance in hand to the Forest Divisional Officer in Form H (Appendix I).

7. Forest Divisional Officers will furnish licensed vendors with a list of the articles for which they are empowered to issue licenses, giving the rates chargeable for the different loads of such produce, and specifying the forests for which they may issue licenses.

8. Licenses will be in Form F (Appendix I). They will be bound in books of 50. Each license will bear the number of the book and number of the license, which should be entered before issue, and should be sealed with the Forest Divisional Officer's seal.

They will be issued to licensed vendors as required, free of charge.

9. Licensed vendors will issue licenses from a single book till all the forms in it are exhausted or the book in use is returned to the Divisional Forest Officer as provided in Rule 10.

Licenses must always be given out in the proper sequence of numbers.

Before issuing a license, the vendor will fill up and sign all three parts and affix the necessary stamps on the back. If there is only one label to be used, it will be affixed to the top edge of the license, and if there are more than one, the label of highest value will be so affixed, the rest following in successive descending order of value touching one another, edge against edge. The vendor will then affix the date and thus deface the labels on each part of the license. Having done this, he will, under the date, enter the number of license and book and his signature.

He will then punch each stamp on the lines of separation between the several parts, taking care that the hole is divided between the first and second parts, and the second and third parts.

The second and third parts will then be torn off and given to the purchaser as his license.

The first part (or counterfoil) is the left hand part.

The second part is the middle part.

The third part is the right hand part.

The separation of the stamp parts before pasting the entire stamp on a license and the tearing of the second and third parts of the license before punching the stamps are prohibited.

10. At the close of the month the licensed vendor will forward all books from which any license has been issued to, the Forest Divisional Officer through the Tahsildar or Range Officer as ordered.

If there are any blank forms in a book, the counterfoil of used licenses will be removed, and the book returned to the vendor, it being noted on the cover how many license forms it now contains.

11. The Range Officer must arrange for the recovery of the middle part of as many licenses as possible from purchasers before they leave the forest.

The Forest Guards will send all such middle parts collected by them to the Range Officer, who will post them in a statement in Form G (Appendix I) for each licensed vendor.

At the close of the month this statement, with the middle parts attached, will be sent to the Forest Office.

12. In the Divisional Forest Office a return will be compiled from the middle parts of licenses received from the Range Officers as well as from those counterfoils of licenses received from the licensed vendors under Rule 10, the middle parts of which have not been collected. The totals of the two will be checked with the total sales shown in the statement of sales submitted by the licensed vendor in Form D (i) under Rule 6. Any discrepancy which then remains can only be due either to mistake in the license vendor's account or to fraud on his part.

13. The Forest Divisional Officer will maintain the following registers :—

(1) File book of statements received from licensed vendors under Rule 6.

(2) File book of indents received from Treasury Officers under Rule 5.

Before filing the statements received from licensed vendors under Rule 6 the total receipts of stamps entered in them should be checked with the indents received from Treasury Officers under Rule 5.

14. The Forest Divisional Officer must arrange for the frequent check of the stamp ledger and stamp balances of licensed vendors by their subordinate officers, in order to guard against stamps being divided before issue of license, and misstatement of the balance in hand.

15. With the monthly accounts Forest Divisional Officers will forward to the Conservator a statement showing, as regards the stamps in the hands of license vendors, and of Forest Subordinates holding imprest advances—

A. The opening balance of the month.

B. { The value of stamps received from the Treasury on payment.  
Add—The value of stamps received from the Treasury as advance.  
Deduct—The value of stamps refunded to the Treasury.

C. The value of stamps issued by license vendors.

D. The closing balance of the month.

NOTE 1.—The above values are the face-values.

This statement may be in the Form E (Appendix I), and the entries should give details as above shown against B.

NOTE 2.—C shows the value of stamps issued; such issues include stamps lost. In the case of stamps being lost a note should be entered in this column stating the fact and the value of such stamps.

16. Licensed vendors may obtain refund of the price paid by them less any discount already received, on returning into the Treasury the stamps in respect of which refund is claimed, and fulfilling such other conditions as the Forest Divisional Officer may prescribe. Such refunds should be noted in the Treasury Officer's monthly stamp-issue return (Rule 5).

17. Any advance of stamps made to a licensed vendor may be recalled at any time by the Forest Divisional Officer.

18. Any licensed vendor may be dismissed by the Forest Divisional Officer, who shall then return his stock of stamps to the Treasury, receiving a refund of their value under Rule 16.

19. Except with the special permission of the Conservator, who may authorise sales by means of stamps from any dépôt, forest

produce sold from depôts will not be sold on stamped licenses, but on ordinary receipts (Form 14, Forest Department Code) for cash. In the few instances in which sales of drift and waif timber, &c., &c., are made, they will ordinarily be for cash. In other words revenue coming under heads I and III will, in the absence of the special permission above mentioned, be cash revenue. Revenue under head V will, as hitherto, be cash revenue.

20. Range Officers' accounts (and, as long as Sub-Range Officers are retained, their accounts also) will be closed on the 25th day of each month, and from that date all sums of revenue received in a Range will of course be at once entered in the cash book, but will not be remitted to the Treasury till the 1 of the following month.

Divisional Officers will close their accounts on the last day of the month.

21. The Divisional Office cash book will thus include the Treasury Officer's figures for the month showing sales of stamps by the Treasury during the month, and all receipts in Ranges up to the 25th: and of course all his own receipts of the whole month.

The Divisional Officer's Form No. 10 will show all the license vendors' receipts for the entire month.

Divisional Officer's accounts will thus show under head II all sales by Range Officers for cash up to 25th: and their return No. 10 will include under head II all cash revenue of this head received up to the 25th as shown in the Range cash book, and all sales on stamped licenses up to the last day of the month, as per license vendors' monthly statement.

22. A reference to Rule 15 will show that the quantity  $C = A + B - D$ : and if we denote by—

No. 35—The total revenue entered in Form No. 35:

II-f—The total revenue credited to that sub-head in Form No. 35:

No. 8—The total revenue entered in Form No. 8 as realized:

No. 10—The total revenue entered in Form No. 10 as realized:

II, III and V—The total sums respectively credited to these heads in Form No. 35:

Then (No. 30—II-f) represents the cash revenue of the month; and  $C + (\text{No. 35—II-f}) = \text{No. 10} + \text{No. 8}$ .

[If C of Form E (Appendix I), column 7, includes the value of stamps lost, then such value must be deducted from the figure in that column in order to obtain C of the above equation. Such correction would however seldom be required.]

Again, since revenue under head I will in practice be identical with No. 8 (as forest produce is not confiscated and drift wood is collected by purchasers), then—

$$\text{No. 10} = C + \text{II} + \text{III} + \text{V} - \text{II-f}$$

and whenever the total of No. 10 differs from the above, or that of No. 8 differs from the total of I, then there must be a mistake in the accounts.

The whole of Rule 9 translated into the vernacular will be printed and pasted on the front cover of each license book, so that no vender can plead ignorance of them.

Arrangements will be made for the location of the stamp vendor as near the circle under working as possible. He should be the

agent of the Stamp Contractor, if there be one in the district, otherwise the most competent person that the Divisional Forest Officer can select. In suitable localities the patwari should, if practicable, be associated in the work of stamp-vending; not necessarily to the exclusion of other agency. For the present, the existing system may be maintained under which licenses and stamps are sold by one and the same man. This system, however, is only provisional; the object of the Administration being that the issue of licenses should be effected by an official of the Forest Department, stamp-vending being left in the hands of contractors and their agents according to existing practice. By this means an additional check will be established over the vend of stamps.

The system of license-vending in the remainder of the forests may continue as at present, until the Department is in a position to take the issue of license (apart from stamp-vending) into its own hands.

In filling up a license, not only the names of the blocks or forests for which it is issued will be entered, but also the name of the sub-range and range. If a license is issued for more than one block or forest, these blocks or forests should not only be situated in one and the same sub-range, but also lie along one and the same line of export. Also, only a single line of export will be prescribed on the license, otherwise check will be rendered impossible, enabling the holder, if dishonest, to remove, with little risk of detection, the full quantity of produce by each separate route. Lastly, the quantity of produce covered by a single pass should not be so large as to require being removed in several instalments, thereby rendering check difficult, if not impossible. If a purchaser wishes to buy a large quantity, he should be given more than one license, so that each license may cover only a single removal of produce.

### Free Grants of Forest Produce.

*Rules regarding free grant of forest produce for works of Public Departments in the Sonthal Parganas.*

20. Timber and other produce required for Public Works, such as roads, bridges and buildings which will be of assistance in the development of Forest revenue in the Sonthal Parganas district, shall be supplied by the Forest Department free of charge on the following conditions:—

Government of India  
No. 2012-214-3 F., dated 11th  
September 1905.  
Bengal Government  
No. 4211 T.—R., dated 17th  
October 1905.

1. The Deputy Commissioner will cause estimates of amounts of timber or other produce required for each work to be prepared, and will forward them on to the Divisional Forest Officer with instructions to mark the trees or make over other produce required.

2. On the receipt of such instructions the Divisional Forest Officer must, unless the value of the trees or other produce at current rates exceed Rs. 500, or he has reason to consider an estimate excessive, in either of which cases he must at once report to the Deputy Commissioner, mark the trees or supply the other produce in the area most conveniently situated in respect to the work for which they are required, where trees or other produce are available.

3. If the value of trees or other produce required for any work exceed Rs. 500, the Deputy Commissioner will refer to the Conservator with a view to obtain Government's sanction of the grant, and if he

does not agree to the reduction of any estimate proposed by the Divisional Forest Officer he will consult the Conservator. If he fails to agree with the Conservator the question must be referred to the Commissioner for final orders.

4. If the Forest Department supplies timber or other produce it has collected at the cost of Government, the Civil Department will refund to the former direct expenses incurred on its collection.

### Collection of Edible Forest Produce.

21. Unless absolutely necessary in the interests of fire-conservancy, and the general protection and improvement of the forests, the collection, consumption, and removal by the public of any forest produce, other than animals and the part and produce of animals which may be utilizable as human food, or in medicine, or which may be required for some purely ornamental purpose, such as certain mosses, ferns, flowers, grasses, etc., should not be interfered with, provided—

- (i) That all produce collected and removed under the permission contained in this order is for private use, and not for sale or barter.
- (ii) That when the edible or medicinal produce is an article of trade in the locality, and of commercial value, bringing in an annual revenue of Rs. 100 or more, it may not be removed by any person in larger quantity than one seer at a time.

### Mica Mining Rules.

#### PROSPECTING LICENSES AND MINING LEASES FOR MICA.

22. The rules sanctioned by the Governor-General in Council for the grant of prospecting licenses and mining leases for mica in Government lands in the Province of Bengal were published for general information by the Bengal Government, by notification No. 142 T.—R., dated 23rd April 1902. In this pamphlet are embodied all alterations which have been made therein up to the 1st July 1909.

DEFINITION.—In these rules, Collector means the Revenue Officer in charge of the District.

#### *Prospecting Licenses.*

1. (1) A license to prospect for mica, called hereinafter a prospecting license, shall confer on the licensee the sole right, subject to the conditions contained in the license, to mine, quarry, bore, dig and search for, win, work and carry away mica lying or being within, under, or throughout the land specified in the license.

(2) A prospecting license shall only be granted with respect to land in which the mica mines, or mica, is the property of the Government, and shall apply only to the area described in the license.

NOTE.—A prospecting license should be restricted to such area as is reasonably required for *bonâ fide* prospecting purposes. The Collector's powers in this respect are made subject to the control of the Local Government, and it is accordingly directed that in cases in which a prospecting license is applied for over an area exceeding half a square mile, a previous reference to the Local Government should be made by the Collector.

2. No prospecting license shall be granted except to a person approved by the Government, and such person shall, before the license is granted, deposit as security in respect of each license such sum, not being less than Rs. 100, as the Collector may determine, or give security to the like amount to the satisfaction of the Collector. Subject to such deduction on account of compensation for surface damage or otherwise as the Collector may order, the amount of any deposit made under this rule, should the depositor afterwards become the lessee of any mica mining lease, will be carried to his credit as part of the rents payable under his lease, and should he decline or fail to obtain any such lease as aforesaid, will be returned to him.

3. (1) Every application for a prospecting license for mica shall, unless the Local Government shall in any case otherwise direct, be made to the Collector of the district in which the land, or some part of the land with respect to which the license is required, is situate.

(2) Every such application shall bear a court-fee stamp of the value of 8 annas and shall contain the following particulars, namely :—

- (a) the name, residence and profession of the applicant ;
  - (b) a description as accurate as possible, and illustrated by a rough sketch, of the situation, boundaries, and area of the land with respect to which the license is required.
- (3) Every application shall be accompanied by a certificate of approval signed by a Secretary to the Local Government.

NOTE.—In granting a certificate of approval, the Local Government should satisfy itself that the person intends to carry out *bonâ fide* prospecting work and has sufficient means at his disposal.

*Note by the Board of Revenue.*

Under Government Order No. 714, dated the 5th February 1907, a certificate of approval should specify the particular minerals for which approval to prospect has been granted and the term of years for which it will remain in force without renewal.

4. On receipt of any such application the Collector shall, as soon as practicable, enquire whether the grant of the licenses applied for is inexpedient, either on the ground that the land described in the application is required for a public purpose, or otherwise.

5. (1) Should the Collector be of opinion that it is not expedient to grant the license, or should he find that the license has not been approved by the Local Government, he shall refuse to grant the license, and shall forthwith report the matter through the proper channel to the Local Government, which may pass such orders as it may think fit.

(2) Subject to the control of the Local Government; the Collector, if he finds that there is no objection to the grant of the license applied for, and if the applicant has been approved by the Local Government, may grant to the applicant a license in such form [Appendix II (a)] as may be prescribed, and shall report the matter to the Local Government or such other authority as the Local Government may direct.

NOTE.—Exploring and prospecting licenses are chargeable for stamp duty as agreements, i.e., they must pay a stamp duty of 8 annas under article 5 (b) of Schedule I of the Indian Stamp Act, II of 1889. (*Vide* Government of India Circular in Revenue and Agricultural Department's No. 1677 S.R., dated 10th April 1902.)

6. A register of applications for prospecting licenses shall be kept in English in the Collector's office, specifying—

- |                             |   |
|-----------------------------|---|
| (1) Name of applicant.      | (7) Date of certificate of approval of applicant by the Local Government. |
| (2) Date.                   | (8) Date of license.  |
| (3) Residence of applicant. | (9) Rent and royalty payable.   |
| (4) Situation of the land.  | (10) Period for which granted.  |
| (5) Boundaries.             |   |
| (6) Estimated area.         |   |

7. Every prospecting license shall contain such conditions as may in any particular case seem necessary, and shall in all cases contain the following conditions:—

- (i) The term for which the license shall be granted shall be one year or such shorter term as the applicant may desire. The license may be renewed by the Collector for a further term not exceeding two years whenever he is satisfied that the licensee has been prevented from completing his search of the land by any cause other than his own default.
- (ii) A moderate rent, not exceeding one rupee per acre, shall be paid for the land covered by the license.
- (iii) The licensee shall pay a royalty at 5 per cent. of the value of the mica won and carried away over and above such quantity as the Collector, subject to the orders of the Local Government, may allow to be taken free for purpose of experiment.
- (iv) No land in the occupation of any person shall be entered upon without the consent of the occupier, and no trees, standing crops, or other private property shall be cut or in any injured without the consent of the owner thereof.
- (v) The licensee shall make and pay reasonable satisfaction and compensation for all injury which may be done by him in exercise of the powers granted by the license, and shall indemnify the Government against all such claims which may be made by third parties in respect of any such damage or injury.
- (vi) The licensee shall not cut or injure any tree on unoccupied and unreserved land without the permission of the Collector in writing.
- (vii) Such license cannot be assigned, nor can any right or interest thereunder be transferred without the consent of the Local Government.

NOTE.—The Local Government will, as a general rule, withhold sanction if no prospecting work has been done by the licensee, and there is reason to believe that he obtained the license solely with a view to immediately selling it out and out at a profit. On the other hand, sanction may with propriety be given if the licensee requires further resources or proposes to associate other persons, by way of a partnership, Syndicate, or Joint Stock Company, with himself in the undertaking, if the assignment or transfer appears to be a *bona fide* arrangement, and if the transferee is a person or Company whom the Government would be willing to approve as a prospector. Hitherto the practice has been to unfavourably regard or absolutely prohibit transfers of prospecting licenses, on the ground that ordinarily there was nothing assured to transfer, that the transfer was proposed with the sole object of making money out of the public, and that if the licensee was unable to work his concession, his proper course was to resign it. Under the new rules, the attitude of the Government will be less strict,

- (viii) In case of any breach on the part of the licensee of any of the five last preceding clauses, the Collector may summarily revoke the license, and hereupon all rights conferred thereby or enjoyed thereunder shall cease.
- (ix) The licensee shall, within six months next after the determination of the license or the date of the abandonment of the undertaking, whichever shall first occur, securely plug any bores and fill up or fence any holes or excavations that he may have made in the land to such extent as the Collector may require, and shall to the like extent restore the surface of the land and all buildings thereon which he may have damaged in the course of prospecting: Provided that this clause shall not apply to any land held under a mining lease.
- (x) Should any question or dispute arise regarding the license or any matter or thing connected therewith, or the powers of the licensee thereunder or the amount or payment of the rent or royalty made payable thereby, the matter in difference shall be decided by the Local Government, whose decision shall be final.

#### *Mining Leases.*

8. On or before the determination of his prospecting license, the licensee shall have a right, subject to the rule hereinafter contained, and provided that the Local Government is satisfied that the prospecting has been of a *bona fide* character, to a mining lease in accordance with the terms contained in the rules for such leases.

Such lease may include an area not exceeding half a square mile, whether comprising the whole or part only of the area for which the prospecting license was granted.

9. (1) Every application for the grant of a mica mining lease shall be presented to the Collector in whose district the land or some part of the land with respect to which the lease is applied for is situate. The Collector shall forward the application through the proper channel to the Local Government. The Local Government may by general or special order require a deposit of money not exceeding Rs. 500 to be made by the applicant in any case or class of cases before the application is taken into consideration.

NOTE.—By Government Notification No. 224 L.R., dated the 20th January 1903, the Lieutenant-Governor has directed that every applicant for a mica mining lease shall deposit a sum of Rs. 500 before his application for such lease shall be considered. The sum so deposited will, on the termination or surrender of the lease, be credited to any claim the Government may have against the lessee; and if the deposit is more than enough to meet such claim, the balance will be paid to the lessee. In the event of there being no such claim, the whole of the deposit will be refunded to the lessee.

(2) No mica mining lease shall be granted otherwise than with respect to land in which the mine or mica is the property of Government or to any persons but approved capitalists who are willing to conduct operations on approved methods.

10. Every application for a mica mining lease shall bear a court-fee stamp of the value of 8 annas, and shall contain—

- (a) the name, residence, and profession of the applicant, and
- (b) a map of the area over which the proposed lease is to extend.



11. On receipt of any such application, the Local Government may, if the applicant is entitled to a lease under rule 8, or if it considers that the applicant should be granted a mining lease [Appendix II(b)], grant the same in accordance with these rules over such one or more blocks, each not exceeding half a square mile in area, as the Local Government may think fit :

Provided that no mica mining lease shall be granted by a Local Government under these rules so as to cause the total area held under mining leases by the lessee, or by those joint in interest with him, to exceed ten square miles.

No such lease shall be executed until it has been approved by the Legal Remembrancer or other legal adviser, if any, appointed for the Province.

NOTE 1.—The Local Government is empowered to grant to an applicant more than one block of land, if it considers this expedient. But the right of a prospector in respect of a mining lease is limited to one block. The granting of more than one block to him is entirely in the discretion of the Local Government. The number of blocks which may properly be granted under any one lease is a matter of importance, and will vary with the resources at the command of the applicant, the area of mineralised land in the locality at the disposal of the Government, and the possibility of other capitalists being likely to engage in the same industry.

NOTE 2.—Forms of surrender of lease under clauses 6 and 7 of the standard form of lease for mica are given in Appendix II (a).

12. Without the previous sanction of the Governor-General in Council, the extent of each lot or block of land covered by a mica mining lease shall not exceed half a square mile, and, where the land follows the direction of a band or belt of mica, the length of the lot shall not exceed four miles.

13. The term for which a mica mining lease shall be granted must not exceed thirty years, and no covenant for renewal shall be inserted in the lease without the previous sanction of the Governor-General in Council.

NOTE.—The Government of India would not be prepared to sanction a renewal clause in lease for purely speculative undertakings. On the other hand, they would be disposed to view with favour a proposal for a covenant for renewal where the existence of the mineral is ascertained beyond doubt, where the enterprise is a substantial one, and where a large expenditure of capital is essential to the prosecution of the undertaking.

14. Every such lease shall contain such conditions and stipulations as the Government of Bengal may in each case consider necessary, but shall in every case contain the following conditions:—

- (i) The lessee shall, during the currency of his lease, pay a yearly rent at Re. 1-8 per acre of the total area included in the lease. The rent shall be payable in half-yearly instalments, the first payment of which shall be made on such date as may be agreed to under the terms of the lease: Provided that if the above rate of rent, namely, at Re. 1-8 per acre, proves insufficient, or results in a loss of revenue, it shall be open to the Local Government, on giving two years' notice to the lessee through the Collector of the district in which the mine leased is situated, to reintroduce at any time the former rate of a royalty of 5 per cent. *ad valorem* on all mica removed or won from the mine. The method of assessing the value of mica for the purpose of calculating the royalty shall be settled by the Local Government at the time of the reintroduction of the old rate.

- (ii) The lessee shall have the power to relinquish his grant at any time during the currency of his lease on good and satisfactory reasons being shown to the Collector, and after paying in full the dead-rent for the year in which the grant is relinquished and for the next year. As an alternative a lessee may surrender his lease subject to the conditions specified in the rule appended to Government of India Circular in Revenue and Agricultural Department's No. 19—1-4, dated 10th April 1902, i.e., by giving not less than 12 calendar months' notice in writing, and upon the expiration of such notice, paying all rents, dues, royalty, compensation for damage, and other moneys which may then be due.
- (iii) The lessee shall, at his own expense, erect and at all times maintain and keep in repair boundary marks and pillars according to the demarcations to be shown in a plan annexed to his lease.
- (iv) Where the area leased lies within a Reserved or Protected Forest, the lessee shall at his own cost clear a line 30 feet in width all round the surface leased to him (but included in the leased areas) of all trees, wood, grass, leaves, sheds, huts and inflammable material generally. He shall maintain this line clear as above every year during the months of February, March, April, May, and June.
- (v) No lessee of any block leased under these rules for mining purposes shall divert any road, path or by-way on the block leased, or any water-course beyond the limits of the block leased to him, and all water running waste on such block shall be returned to its natural channel within the limits of the same block.
- (vi) The lessee shall make and pay reasonable satisfaction and compensation for all injury which may be done by him in exercise of the powers granted by the lease, and shall indemnify the Government against all claims which may be made by third parties in respect of any such injury.
- (vii) The lessee shall not cut or injure any tree reserved in the lease. Where the area leased lies within a Reserved or Protected Forest, the lessee shall at once give to the Forest Officer in charge of the forest a full description of any timber or tree destroyed or injured by him.
- (viii) Neither the lessee nor any person claiming through or under him shall assign the lease, or underlet the whole or any portion of the premises comprised in such lease, without the previous consent in writing of the Local Government.

NOTE.—Before granting sanction to the transfer or assignment of a mining lease as required by the rules, the Government should satisfy itself that the proposed transfer is a *bona fide* transaction, that the transferee is a person or Company of substance, and can be relied on to fulfil, in relation to the Government, the condition and stipulations of the lease. It is not, however, intended that the Government should undertake responsibility towards the public for the accuracy of any prospectus which the transferees may intend to issue, or should closely examine the details for the proposed transfer, or of the arrangements contemplated after it has taken effect. If in any particular case the Local Government feels a difficulty as to how its discretion should be exercised, a reference should be made to the Government of India.

- (ix) The lessee shall commence operations within two years from the date of the execution of the lease, and shall thereafter carry them on effectually in a proper, skilful, and mining-like manner, unless prevented by unavoidable cause.
- (x) The lessee shall keep correct accounts showing the quantity and particulars of all mica obtained from the mine and the number of persons employed therein, and also complete plans of the mine, and shall allow any officer authorized by the Local Government in that behalf at any time to examine such accounts and plans, and shall furnish that Government with such information and returns in respect of the aforesaid matters as it may prescribe.\* He shall also keep his accounts of the mica obtained from Government mines separate from those relating to mines in private lands, if he has any such mines.

\* NOTE.—All information and returns obtained or furnished under this clause shall be treated as strictly confidential. A form of return has been proscribed in the Government of Bengal's Notification No. 4374 L.-R., dated the 3rd December 1902. [*Vide* Appendix II (c)].

- (xi) The lessee shall allow any officer authorized by the Local Government in that behalf to enter upon the premises comprised in the lease for the purpose of inspecting the same.
- (xii) The lessee shall without delay send to the Collector a report of any accident which may occur at or in the said premises, and also the finding therein of any other mineral than mica.
- (xiii) Should the royalty or rent reserved or made payable by the lease be not paid within two months next after the date fixed in the lease for the payment of the same, the Local Government may enter upon the said premises and distrain all or any of the minerals or moveable property therein, and may carry away or detain them until the rent or royalty due and all costs and expenses occasioned by the non-payment thereof shall be fully paid; and if any royalty or rent remain at any time unpaid for six calendar months after the date on which it is due, the Local Government may determine the lease and take possession of the premises comprised therein.
- (xiv) In case of any breach on the part of the lessee of any covenant contained in the lease, the Local Government may determine the lease and take possession of the said premises.
- (xv) At the end or sooner determination of the lease, the lessee shall deliver up the said premises and all mines (if any) dug therein in a proper and workmanlike state, save in respect of any working as to which the Local Government may have sanctioned abandonment.
- (xvi) Should any question or dispute arise regarding the lease on any matter or thing connected with the mines and mica leased or the working or non-working thereof, or the amount or payment of the royalty or rent reserved or made payable by the lease, the matter in difference shall be decided by the Local Government, whose decision thereon shall be final.

15. (1) All operations conducted under the authority of these rules within a Reserved Forest shall be subject to such conditions as the

Local Government may by general or special order from time to time prescribe.

(2) It shall be a condition of every license granted under these rules that before the commencement of prospecting within a Reserved Forest, notice shall be given to the District Forest Officer of the intention to commence operations, and that the operations shall be conducted subject to any conditions regarding the use of fire that he may prescribe: Provided that the licensee shall not enter on the land covered by the license, nor commence operations, without the written permission of the Collector.

(3) Every mining lease which includes any portion of a Reserved Forest shall, if it authorizes the lessee to fell timber for mining purposes, specify the area within which or the quantity up to which, and the terms and conditions upon which, he may exercise that authority.

16. Should the applicant for a prospecting license or mining lease desire the Collector to prepare for him the sketch required by rule 3 (2) (b) or the map required by rule 10 (b), or should the sketch or map presented by the applicant be insufficient, the Collector may prepare the sketch or map required, and may, if he so order, recover the cost from the applicant at a rate not exceeding 4 annas per acre. If the Government of Bengal has prepared a map of a tract of country specially for the convenience of intending applicants for licenses and leases under these rules, and if any applicant makes use of such map for the sketch or map aforesaid, it will be open to that Government to recover as above such share of the cost of preparing the map as it may consider to be equitably due from such applicant.

17. If a license or lease is not executed within six months after leave has been granted for it, the right of the applicant to such license or lease shall be held to have lapsed, unless the Local Government, for special reasons, consents to grant the same, notwithstanding the delay.

### Revenue from Quarries.

23. Revenue realized from quarries and minor mineral products in Government forests and lands under the management of the Forest Department should be credited to "Forests," and where such forests and lands are not under the management of that department to "Land Revenue (Miscellaneous)."

Government of India  
Circular No. 2 E., dated 24th  
January 1894.

### Royalty on Stone in Angul.

Bengal Government letter  
No. 1032 T.—B., dated 13th June  
1902.

24. Stone, etc., may be removed from the Angul Protected Forest at the following rates of royalty:—

Laterite	...	...	4 annas per 100 c. ft.
Gravel	...	...	1 anna   "   "
Ghooting	...	...	12 annas   "   "
Rubble	...	...	4 annas   "   "
Slab stones (undressed)	...	...	1 rupee 8 annas.

Residents of the State may quarry stone from villages other than their own free of royalty subject to the provision of Rule 2 of Protected Forest Rules (see pages 8-13).

### Royalty on Elephants caught in Reserved Forests.

25. The Forest Department is authorized to levy a fixed royalty of Rs. 25 per head for elephants, excluding calves captured by the Khedda Department in the reserved forests in the district of Angul, or outside the same, after being driven therefrom by the Khedda parties organized under the Deputy Commissioner of those districts.

No claim for payment is to be made for fuel, etc., used in the Government Forests by the Khedda Department, when such fuel, etc., is extracted by the direct agency of the Khedda Department under its own supervision for its own use, and not for disposal to the public or other department.

### Fire Reports.

#### RULES REGARDING THE SUBMISSION OF REPORTS ON FIRES IN STATE FORESTS.

26. When any fire affecting an area of 10 acres or more in extent occurs in any forest, the Divisional Forest Officer will, on receipt of a report from the Range Officer, if he is himself not present, at once send a preliminary report of the occurrence to the Conservator of Forests in the usual form (Adopted Form No. 38) unless he has reason to suppose that he can submit a full report within ten days.

2. The first report on a forest fire need only give the locality, date of out break, measures taken to extinguish the fire and ascertain the cause and the approximate date by which a full report can be expected to follow.

3. The full report should supplement and, if necessary, revise the information given in the preliminary report. The full report need not be delayed pending the result of prosecutions or lengthy investigations.

4. The occurrence of a fire affecting an area of less than 10 acres need not be reported, unless the occurrence is of exceptional interest, but it should of course be entered in the Divisional Register of Fires.

5. The record should show whether the Forest is Reserved, Protected, or Unclassed, and whether the area is "specially protected" or "unprotected," and, if the fire has been a serious one, should be accompanied by a map.

6. Forest subordinates who have been concerned in firing unintentionally, extinguishing or obtaining labour to extinguish fires, should be mentioned by name as well as official designation in the report.

7. Areas entered in full reports should be expressed in acres only, omitting fractions.

8. When offenders concerned in fire cases are detected, they should ordinarily be prosecuted. But in very exceptional circumstances it may be desirable to compound such cases or let the offenders off with warnings, and in such circumstances cases may be so disposed of, provided the District Officer approves and any compensation fixed is realized by the Divisional Officer or by a subordinate who is competent to compound cases. As a rule, when it is not desirable to prosecute, warning offenders is preferable to compounding, due precaution being of course taken to make the offenders understand that they are being leniently dealt with, and the circumstances of all cases disposed of, by warning or compounding should be reported to the Conservator.

## Forest Offence—Powers of Police.

*Police empowered to release on Bail in Forest Cases.*

27. Read a memorandum of the Government of India in the Home Department, Nos. 975-976F., dated the 31st December 1883, and annexure, regarding a proposal to amend section 63 of the Indian Forest Act, VII of 1878, and to issue, pending such amendment, executive orders empowering officers in charge of police-stations to admit to bail persons arrested under that section.

Bengal Resolution Judicial, dated the 29th May 1888.

Section 63 of the Indian Forest Act, VII of 1878, empowers a Forest Officer or Police Officer to arrest, without orders from a Magistrate, and without a warrant, any person against whom a reasonable suspicion exists of his having been concerned in any forest offence punishable with imprisonment for one month or upwards. It is also enacted that every officer making an arrest under that section shall without unnecessary delay take, or send, the person arrested before the Magistrate having jurisdiction in the case. The Government of Bombay suggested to the Government of India that, to remove any hardship which might arise from the absence of a Magistrate duly empowered in that behalf, section 63 might be amended so as to confer authority on a police officer, within whose jurisdiction a forest offence is committed, to release, on bail, persons who are arrested without a warrant under that section. The Government of India have agreed to amend the Act, and have suggested the issue, by the Local Government pending such amendment, of executive orders prescribing that where the Magistrate's Court is at a distance from the scene of the alleged offence, and a police-station is within convenient access, an accused person, who is ready and willing to give bail, should be taken for the purpose to the police-station, the officer in charge of which might thereupon take action in the matter in accordance with the provisions of the Criminal Procedure Code, Chapter XXXIX.

Divisions.	Districts.
Presidency	{ Khulna.
Bhagalpore	{ 24-Parganas.
Chota Nagpur	{ Darjeeling.
	{ Lohardaga.
	{ Hazaribagh.
Orissa	{ Puri.
	{ Angul.

The Lieutenant-Governor directs the issue of the orders suggested by the Government of India to the Magistrates of the districts named on the margin.

## Grazing in River-beds adjoining State Forests.

28. Cattle of all descriptions may be grazed in the bed of any river, which though included in a Government reserved forest at the same time forms a boundary between the reserved forest and either a protected forest or a Government or jagirdari estate: provided that the Deputy Commissioner may order any or all cattle owners who graze their cattle in such river-beds to discontinue grazing cattle in the same if he considers that such owners or their servants have on any occasion failed to take sufficient precautions to prevent or extinguish forest fires, or to prevent trespass of their cattle in other parts of reserved forests, or if he is of opinion that the grazing of their cattle is likely to lead to forest fires or to cattle trespass in other parts of reserved forests.

Bengal Government letter No. 1876 T.-R., dated 31st August 1904.

## Institution of Criminal Suits in which Government is a party.

### *Employment of Government Pleader.*

29. The following rules have been framed by the Lieutenant-Governor for the guidance of officers of Government and of Government Pleaders in regard to the prosecution of criminal charges before any Court, and for the payment of fees to Government Pleaders for conducting such cases on behalf of Government.

Bengal Government letters No. 300, dated 17th January 1891, and No. 5706, dated 20th December 1904.

1. The Government Pleader is bound to advise the head of any Government office on any legal matters affecting the interests of Government in connection with the department which such officer represents without the payment of a fee, such service being covered by his general retainer.

2. The Government Pleader is bound to advise a Government officer consulting him on behalf of a Municipality, District or Local Board Committee, Port Trust, or of any public body, over whose proceedings such Government officer is legally vested with powers of supervision or control, on payment of a reasonable fee for his opinion. The amount of such fee shall be noted on the reference, and, if offered to and refused by the Government Pleader, shall be fixed by the Legal Remembrancer on reference to him by the officer who makes the tender.

3. When a Government Pleader conducts a case in Court, he is, ordinarily, that is, subject to any special order of the Superintendent and Remembrancer of Legal Affairs, entitled to Rs. 16 a day in cases before Magistrates and in Sessions cases. In appeals he is ordinarily entitled to Rs. 16 if the appeal takes up the whole or greater part of the day, and to a proportionately smaller sum if it takes up half a day or less. In the 24-Parganas, by a special order of Government, the Government Pleader is allowed Rs. 32 a day.

4. In all cases of criminal prosecutions brought against public officers for acts arising out of the performance of their public duties, Government Pleaders are bound to defend them, subject to the conditions laid down in the circular of Government, No. 33, dated the 7th July 1879, and are entitled to fees.

5. The following is the procedure to be followed when prosecutions are instituted by public officers. Where the charge is of a cognizable offence, the prosecution will ordinarily be conducted by the police. Where the charge is of an offence which is non-cognizable, or, though cognizable, calls for special arrangements, the officer who prefers the complaint should refer for instructions to the Magistrate of the district, who may, if he thinks fit, either instruct the officer himself to prosecute, or, if the case is of a complicated and difficult nature, rendering, in his opinion, the employment of the Government Pleader or of some legal practitioner necessary for a proper prosecution, may direct the Government Pleader to prosecute or report, for the sanction of the Legal Remembrancer, what other arrangements he has to propose. The Government leaves it to the Legal Remembrancer to see that the tendency to unnecessarily employ Government Pleaders is kept in check.

6. Government Pleaders should never be deputed to the mufassal without the previous sanction of the Legal Remembrancer, who will, if he considers it necessary, refer any case for the orders of Government.

7. The form of memorandum given in the margin, which has been prescribed by the High Court, should be adopted by District Magistrates for the purpose of informing Subdivisional Magistrates that there is an appeal against their decision, and asking them whether the Public Prosecutor should be engaged to support the conviction. Subordinate Magistrates at head-quarters and at subdivisions should always be invited to state whether they think it necessary that an appeal against their order should be defended.

HIGH COURT, CRIMINAL,  
No. (M) 114.  
Mysore No  
From the Magistrate of  
To the Subdivisional Officer  
of

8. In appeals and revision cases before the Court of Sessions, the Magistrate of the district can direct the Government Pleader to appear on behalf of the Crown without reference to the Legal Remembrancer. The Magistrate of the district is responsible that Government prosecutions do not fail because Government is not adequately represented in the Appellate Court, and unless otherwise directed by the Magistrate, the Public Prosecutor should appear in all appeals before the Sessions Judge in which the appellant is represented by a pleader or counsel.

The Sessions Judge of  
having fixed the day  
of 10 as the date of  
hearing of criminal appeal  
note 1 in the margin  
against your order,  
please state whether the ap-  
pearance of the Public Prose-  
cutor is necessary to uphold  
your order.

Magistrate.

MAGISTRATE.

The 10

9. The Magistrate, as the head executive authority in the district, is the representative of Government and has the first call on the Government Pleader's professional services, both in the Original and Appellate Court. The Government Pleader cannot therefore accept a brief for the defence, or for an appellant, or for an applicant, for revision in a criminal case, except with the Magistrate's permission in writing previously obtained.

10. In serious or important cases the question whether Government should be represented or not should not depend on whether a pleader or counsel is employed on the other side, but should be decided by the Legal Remembrancer on the merits of the case itself. In cases which might take more of the Deputy Legal Remembrancer's time than he can afford to give with regard to his other duties, the Legal Remembrancer should exercise the authority vested in him of employing counsel to appear for Government. It will also be open to the Magistrate to apply, through the Legal Remembrancer, for the sanction of Government to the employment of counsel in *mufassal* cases. In cases, however, where there is no time to refer the matter to Government for sanction, the Legal Remembrancer's sanction will be sufficient.

### Rewards—Out of Compensation realized.

30. Rewards out of compensation realized for forest offences should be paid after sanction has been obtained in the month in which compensation has been realised, or at the latest in the month following, and are on no account to be paid unless compensation has been realized within a month from date of issue of the Divisional Officer's orders to compound. (See page 6).

Conservator's Circular No. 172,  
dated 26th September 1907.



## CHAPTER II.

## BUDGET, RETURNS, ACCOUNTS AND OFFICE ROUTINE.

## BUDGET.

Government of India Resolution No. 2162 Ex., dated the 30th April 1904.

1. It must be remembered that for the increasing of expenditure two conditions must be present *independently*—

- (1) The expenditure must be within the limits of the originally sanctioned budget estimate, or of some "extra grant" sanctioned by competent authority in addition to the original estimate.
- (2) The expenditure must have been sanctioned, as expenditure by superior authority, unless it is within the sanctioning powers of the expending officer.

Neither of these two conditions implies the other, and it is the duty of the expending officer to satisfy himself that both are present.

Although it is sometimes, in occasional extraordinary circumstances, necessary for an expending officer to disburse money, or to engage to do so, in the absence of one or both of these conditions, he must remember that he is taking upon himself a responsibility for which he has to give a due account, and he is bound at once to report his action for regularization.

The Budget Estimates are passed and *sanctioned* before the commencement of the year to which they apply.

Government of India Circular No. 5 F., dated the 21st March 1905.

They *provide* for expenditure within certain limits; and Local Governments have power, subject to well-known rules, to regulate their expenditure within these limits. Outside these limits no expenditure of any sort whatever can properly be incurred, unless a special additional grant to cover it has been applied for and sanctioned by the Government of India.

The Revised Estimates (not Revised Budget Estimates, as they are often improperly called) make no *provision* for any expenditure whatever; they are *accepted*, not sanctioned, by the Government of India; and no entry in them carries with it any authority for expenditure of any kind. They do not even provide for, or authorize, the expenditure of charges already entered in the Budget Estimates; for these latter alone possess authority. The Revised Estimates are not Budgets or appropriations of money, nor do they supersede the Budget Estimates as the basis for the regulation of expenditure. They are estimates pure and simple, prepared for information, in order to indicate to Government how far the expenditure already sanctioned (in the Budget Estimates and in subsequent additional grants, if any) will be worked up to. If the figures for expenditure in the Revised Estimates exceed the total of the Budget Estimates, and of special grants already made or applied for, they clearly must be wrong, and will be corrected accordingly by the Government of India; for no expenditure can be incurred that has not been sanctioned, and, if it had become apparent, before the preparation of the Revised Estimates, that expenditure in excess of existing sanction would be necessary, additional sanction would, under standing rules, have been applied for at once.

The rule is that sanction to all expenditure in excess of Budget provision must be applied for *as soon as it becomes apparent that such expenditure will be necessary*. When, however, the excess expenditure under individual heads is small, it may happen that the general review of the year's requirements which is made for the purposes of the Revised Estimates discloses for the first time the necessity for such expenditure. When that is the case, the application for an additional grant must be made at once, separately, and in a complete form, so that it may be disposed of quite apart from the Revised Estimates. It has, indeed, no connection with those estimates; for the making of the application is a condition precedent to the inclusion of the sum applied for in the estimates: in short, the estimates depend on the grant, not the grant upon the estimates.

As soon, then, as it appears that expenditure in excess of Budget sanction will be necessary, an application for an additional grant should be made at once. It must be shown—

- (1) that the expenditure is necessary and unavoidable, or at least in the highest degree advisable;
- (2) that it could not have been foreseen when the Budget Estimates were prepared; or, if it could have been, it must be explained why the necessary provision was not made;
- (3) that it cannot be met by reappropriation within the Budget grant for forest expenditure;
- (4) that it cannot be met by reappropriation from the Budget grants under other major heads of expenditure which are controlled by the Local Government.

In an organization such as the Forest Department, extra expenditure may occasionally be highly advisable, though not absolutely unavoidable. For instance, expenditure which produces revenue may have to be increased in the course of the year; and if a demand should spring up for certain forest produce, it must be met at once, or the revenue may be altogether lost. But in all cases the necessity for the proposed excess expenditure must be fully explained and justified in detail; mere general references to a probable increase in the receipts are insufficient.

In submitting fresh proposals for expenditure it should in future be distinctly stated whether provision for the proposed charge has or has not been made in the Budget Estimate. The appropriation of Budget grants should be in the form given in Appendix X.I, page 119, of the Forest Department Code.

Government of India Resolution No. 1740 A., dated the 21st March 1897.

### Revised Estimates.

2. The Revised Estimates of any year are a mere forecast, as accurate as possible, of what the actual results of the year are likely to be, independently of the question whether there is, or is not, authority for the expenditure included in those estimates, and that the figures adopted for them are useful only for administrative purposes and cannot be used for purposes either of budget control or of audit. The

Government of India Resolution No. 2225 A., dated the 18th May 1897.

acceptance of the Revised Estimates does not warrant any departure from the rules for controlling and limiting expenditure by budget provision, and the figures of the Revised Estimates should not be taken as in any way superseding, for purposes of control of expenditure, the Budget Estimates passed by the Government of India.

The authorized grants made in the letters which convey orders on the Budget Estimates and any additional grants or reappropriations made under proper sanction and authority, and not the figures in the Revised Estimates, should therefore always be made the basis of applications for any necessary additional grants. As soon as it becomes apparent that expenditure in excess of the budget grant will be necessary under any head and cannot be avoided, an application for an additional grant should be made, unless it is within the power of the Local Government to sanction the grant itself: full explanation of the particular items to which the excess is due and of the reasons for incurring the expenditure should be given, and specific reappropriations of budget grants should be proposed, or if it is necessary to go beyond the limits of budget grants specific additional grants should be proposed; nor should the explanations required in these cases refer in any way to the Revised Estimates. It is not convenient that the Revised Estimates should be in any way connected with such applications, as their acceptance does not imply any sanction to the expenditure included in them.

It is also necessary to point out that additional grants for any year cannot be sanctioned after the close of the year; and that proposals for such grants as well as for reappropriations of existing grants should therefore always be submitted in time to admit of orders on them being passed before the close of the year. Excesses of expenditure which are ascertained too late to admit of that should be dealt with as prescribed in the above-quoted Resolution of 21st March 1895.

### Preparation of Budget and Revised Estimates.

3. The following rules should be observed by Divisional Forest Officers when preparing Budget Estimates:—

1. The Revised Estimates should be kept quite separate from Budget Estimates so that they can be dealt with separately in Conservator's office.

2. Revised estimates should be prepared according to the following example:—

#### *Revised Estimates for 1910-1911.*

The following columns should be filled in:—

Budget sub head.	Actuals, 1910-1910.	Sanctioned estimate, 1910-1911.	Revised estimate, 1910-1911.	Actuals of first four months, 1910-1911.
1	2	3	4	5

3. Column 4 should not ordinarily differ from column 3 under any Budget subhead, and when this is the case no further explanation is required. If the allotments originally proposed in his Budget Estimate for any projects have been materially altered, the revised allotment for each project should be entered in the explanatory note accompanying the statement of Revised Estimates.

4. When column 4 exceeds column 3 under any subhead the reason of the excess should be clearly explained under this subhead in the attached note, and if a transfer is proposed from another subhead the details of reduction may be entered under that sub-head.

5. The greater part of expenditure B is made out for the whole Circle in the Conservator's office, and a Divisional Officer is not justified in transferring amounts allotted in his Division from B to A in his Revised Estimate without previous sanction.

6. If for any reason an officer anticipates any excess expenditure under any subhead which cannot easily be met from any other subhead in his Division, he should apply for an extra grant to meet this expenditure.

7. An extra grant may legitimately be asked for in the case of departmental operations under Article 130 (i) of the Forest Department Code.

*Budget Estimate.*

The Budget figures for the succeeding year should be kept separate from the Revised figures. The following statement should accompany the Budget Estimates:—

(a)

Budget subhead.	Actuals, 1908-1909.	Actuals, 1909-1910.	Revised Estimate, 1910-1911.	Budget Estimate, 1911-1912.
1	2	3	4	5

All projects will be entered in such detail as will enable the Conservator to check them. A note being made in the case of projects which require Conservator's sanction, that sanction will be subsequently applied for except in cases in which administrative sanction has already been accorded to any project or scheme. Any considerable deviations from the figures in the first three columns will be explained.

(b) A list of the permanent controlling subordinate and office establishments.

(c) (i) Temporary establishment charges:—

Budget subhead.	Actuals, 1909-1910.	Revised Estimate, 1910-1911.	Budget Estimate, 1911-1912.

## (ii) Detailed list of Temporary establishment:—

Budget subhead.	Description.	Period required.	Rate of pay.	Total cost
			Rs. A. P.	No. A. P.

*Compilation and submission of Circle Estimates.*

8. The Budget Estimates for the Circle will be compiled in the Conservator's office from the Divisional Budgets and prepared by the 1st of October in duplicate, one copy being submitted simultaneously to the Local Government and to the Accountant-General, Bengal. The Budget should be accompanied by three Schedules—

I. For new sanctioned schemes the maximum recurring cost of which in any one year is in excess of Rs. 5,000.

II. For new sanctioned schemes the maximum recurring cost of which in any one year is less than Rs. 5,000.

III. For new schemes which have not been administratively approved by Government, but for which it is desired to make provision in the Budget in anticipation of such sanction—supplying the following information:—

- (a) Serial number of each new scheme.
- (b) Reference to order or sanction.
- (c) Brief but clear note as to nature of scheme.
- (d) Ultimate cost—
  - (I) Recurring.
  - (II) Non-recurring.
  - (III) Total.
- (e) Cost during Budget year—
  - (I) Recurring.
  - (II) Non-recurring.
  - (III) Total.
- (f) Remarks.

**Rules for the Remittance of Forest Revenue to Treasuries,  
through Post Offices.**

[Approved in Government Order No. 2547 For., dated 21st July 1893, and No. 1069 For., dated 27th February 1896.]

4.—Divisional Forest Officers should provide their Range and other Revenue-remitting Officers with ordinary inland money-order forms in books with counterfoils, such as are obtainable at all post offices, and these alone should be used, all particulars of the remittance being noted on the counterfoil.

2. The remitter should make out a money-order on one of these forms, filling in the name of the most convenient post office and other particulars, and making it payable to the officer in charge of the treasury, and should send it with the cash to the post office. He should note briefly on the coupon particulars of the remittance sufficient for the Treasury Officer's information.

3. The Treasury Officer, on receipt from the post office of the money-order, will sign and date the money-order and return it to the post office after cutting off the strip containing the coupon and acknowledgment. He will forward to the Divisional Forest Officer the advice list prescribed in the rules published in the notification of the 11th May 1888, together with the corresponding strips consisting of the coupons and acknowledgments of all money-orders received during the day.

4. The entry in the remitter's accounts will be supported by the receipt given to the remitter by the post office when the money-order was issued.

5. The commission paid on money-orders will be charged to sub-head of Service B III (r) in the Forest Department accounts.

6. (ii) *Remittance of advances.*—In remitting advances to disbursers, the same procedure as that prescribed in rules 1 and 5 above should be followed; but the amount of the money-order and the commission may be paid into the post office either in cash or, where the post office is at a treasury or sub-treasury station, by a cheque drawn in favour of the postmaster on such treasury or sub-treasury. The latter course can only be adopted when the remitter has a banking account with the treasury or sub-treasury concerned.

7. The money-order will be treated by the post office as an ordinary inland money-order, and acknowledgment sent to the remitter in due course. The remitter's accounts will be supported by the acknowledgment, as well as the receipt referred to in rule 4 above.

### Adjustment of Revenue Remittances in Consolidated Treasury Receipts.

5. Great difficulty is experienced in checking the revenue remittances with the treasury schedules owing to the last column of the consolidated treasury receipts, which accompany Form No. 35, not being properly filled in by some of the Divisional Forest Officers. In some cases the column is left entirely blank, while in others the number of the items and the date of entry in forest accounts entered therein do not correspond with the number of the items or of the chalang and the dates of remittances shown in Form No. 35. As these particulars are required for the agreement of the remittances debited in the forest accounts with those credited in the treasury accounts, Divisional Forest Officers are required to fill in the last column of the consolidated treasury receipt regularly and correctly.

In some Divisions a large number of items of treasury credits remain unadjusted for a considerable length of time, although all items should be charged off to remittances directly they are remitted to treasury. In the case of Subdivisional and Range Accounts which are closed before the expiry of the month, remittances made between the closing of the accounts and the last day of the month can always be adjusted in the next month's accounts.

The Divisional Forest Officers should pay special attention to the adjustment of remittances. On receipt of a consolidated treasury receipt they should carefully check the entries in it with those in their accounts, and if there is any discrepancy, they should at once enter into correspondence with the Treasury Officer concerned.

Comptroller and Auditor,  
General's No. 1351 F., dated  
the 23rd July 1902.

**Revenue received in advance.**

6. Revenue received in advance should in no case be left unadjusted for a longer period than three months from the date of its receipt. Should circumstances render this impracticable, the matter should be specially reported for Conservator's orders. (See Appendix V)

Conservator's Circular  
No. 185 A., dated 8th December  
1894.

2. The numbers of notes received in payment of revenue should be recorded on the back of counterfoils, etc.; in the case of advances the numbers of any notes received should be entered by Forest Rangers, in their cash-books.

Bengal Government No. 2161,  
dated 6th April 1901.  
Conservator's Circular No. 9,  
dated 14th April 1901.

**Earnest-money tendered by Contractors.**

7. Earnest-money deposits tendered by contractors should not be entered in forest accounts, but should be paid direct into the treasury for credit to "Deposits" by the contractors themselves.

Comptroller-General's No.  
1804, dated 28th July 1899.

**Worn and Defective Coins.**

8. The following procedure has been laid down in regard to the receipt in revenue of worn and defective coins:—

(1) When coins are reduced by fair wear and tear they should be received by the Treasury Officer at their nominal value, and not out and returned to the tenderer. Instances in which these orders have not been observed should be reported to the Comptroller-General, to whom the coin, or coins, should be forwarded by registered post for inspection and orders.

(2) In all cases in which coins have been fraudulently reduced in weight the collecting officer must bear the loss. But such instances ought to be the exception, as with ordinary care coins fraudulently treated ought to be detected, as they bear marks on their face of such treatment and are very light, and short of the proper weight by 10 grains or even more.

Comptroller and Auditor-  
General's letter No. 2512, dated  
6th September 1899.

**Punctuality in submission of Accounts and Vouchers essential.**

9. Vouchers should be submitted to the Accountant-General, Bengal, with the accounts. If the submission of ordinary vouchers is delayed beyond 15 days from the date of the despatch of the accounts to which they refer, a special report explaining the cause of delay should be furnished to Conservator's Office, and the same procedure should be observed when vouchers for adjustments by book transfer are delayed for over one month.

Conservator's Circular No. 85,  
dated 20th June 1902.

**Book Adjustments.**

10. It is ruled by the Comptroller and Auditor-General and the Accountant-General, Bengal, that the cost of all supplies by the Forest Department to the Public Works Department, including small sums below Rs. 50, should be adjusted by book transfer, and not paid for in cash.

Conservator's Circular No.  
85 A., dated 7th June 1903.

## Form No. 7.

11. All transactions shown in Form No. 7 necessitating payments should appear in Form No. 35 of the same month and *vice versa*. Should the transactions be shown in Forms Nos. 7 and 35 for different months, a note should be made in the "Remarks" column of the form in which the transaction has been entered showing the months in which the entry appears in the other form. When the entries made in both forms do not tally, the discrepancy should be explained against the entry in Form No. 7.

Conservator's  
No. 288, dated the 1st  
December 1903.

Circular

## Form No. 10.

12. Any entry in Form 10 in which the rate differs from the sanctioned schedule of rates should be initialled by the Divisional Forest Officer in the "Remarks" column to show that the rate has been adopted under his orders.

Conservator's  
No. 39, dated the 24th April  
1907.

Circular

## Form No. 35.

13. In compiling the monthly Divisional classified abstract of expenditure, Form No. 35, the numbers and dates of sanctions accorded by the Local Government or Conservator should be recorded, and the following sequence under each budget sub-head should be strictly adhered to, i.e.—

1st, expenditure incurred under Local Government's sanction.

2nd, expenditure incurred under Conservator's sanction.

3rd, expenditure incurred under Divisional Officer's powers.

Form No. 35 (Revenue) need not be given in detail except under sub-heads *Va*, *Vb* and *Vc*; only one copy of Form 29 (abstract of Contractor's and Disburser's ledger with vouchers) need be submitted to Conservator's office for transmission to the Accountant-General. Chapter I of the Budget Estimate for the ensuing year should be submitted by Divisional Forest Officers on the 1st August in each year, instead of the appropriation report of revenue and expenditure (*vide* section 146 of the Forest Department Code). In the case of advance payments for timber the receipt of a second advance before the first advance is cleared off should be avoided.

Conservator's  
No. 36, dated the 10th May  
1899.

Circular

## Comparative Statement of Revenue and Expenditure.

14. A comparative statement of Revenue and Expenditure should be submitted as early as possible in January, February and March in the form entered in Appendix VI in order that savings towards the close of the year in certain Divisions may be utilized in others so that the budget figures sanctioned by Government may be worked up to.

Conservator's  
No. 237, dated the 29th  
October 1907.

Circular



## OFFICE BUSINESS.

**Rules for keeping of cases in files in Divisional Forest Offices.**

Conservator's Circular No. 176,  
dated 20th September 1910.

15. The following list of files should be kept up in all Forest Offices, with the number allotted to each :—

- |   |                          |
|---|--------------------------|
| 1. Accounts.                              | 17. Indents.             |
| 2. Annual Plan of Operations.             | 18. Launches.            |
| 3. Annual Reports.                        | 19. Leases.              |
| 4. Budget Estimate.                       | 20. Live-stock.          |
| 5. Buildings.                             | 21. Offences.            |
| 6. Circulars.                             | 22. Permits.             |
| 7. Control Forms.                         | 23. Plantings.           |
| 8. Creepor-outting.                       | 24. Protected Forests.   |
| 9. Demarcation.                           | 25. Purchasers.          |
| 10. Departmental Operations.              | 26. Rents and Taxes.     |
| 11. Diary and Travelling Allowance Bills. | 27. Reserved Forests.    |
| 12. Establishment.                        | 28. Roads and Bridges.   |
| 13. Fire Protection.                      | 29. Seeds and Specimens. |
| 14. Forest Villages.                      | 30. Shooting Licenses.   |
| 15. Free Grants.                          | 31. Surveys and Maps.    |
| 16. Grazing.                              | 32. Working Plans.       |
|   | 33. Miscellaneous.       |

2. Cases are the units contained within files, and these will be designated by initial letters a, b, c, etc., and will be known as 13 (o) or 29 (g), as the case may be.

3. Ordinarily one pigeon-hole should hold one file; but there is no objection to two pigeon-holes being used for the purpose as in the case of No. 12, or two files occupying one pigeon-hole as may happen with Nos. 18 and 19 in many Divisions.

4. Each pigeon-hole will bear the number of the file it contains, and in each a case-slip of thin cardboard will be kept, headed with the number and name of the file. This case-slip will contain a list of the cases within the file which will agree with Form 44. As a new case is opened it will be entered in Form 44 and on the case-slip.

5. Pending cases will have a flag pinned on the lower edge with the initial letter P, and will not be separated from the files.

6. Pigeon-holes will be numbered from left to right, beginning at the top left hand corner. Two sets of pigeon-holes will be kept up corresponding to the files of two consecutive years. In April each year the files of the year before last will be removed to make room for those of the succeeding year.

### The Calendar of Returns.

#### STATEMENT OF RETURNS DUE BY DIVISIONAL OFFICERS.

16. In the calendar overleaf the date of posting of accounts and returns by Officers in charge of Forest Divisions is noted against each. (The Conservator's Circular No. 278, dated the 24th January 1869. The statements not prescribed in the Forest Department Code will be found in Appendices I to IX).

2. The necessity of abiding by the dates fixed should be impressed upon the staff of each office, and Divisional Officers will therefore take such steps as will ensure the submission of all returns, etc., to them in such time as to enable them to inspect and forward the returns on due date.

Statement showing the Returns, etc., to be sub-

NAME OF RETURN, ETC.	LATEST DATE OF POSTING BY					
	April.	May.	June.	July.	August.	September.
Fortnightly Diaries of Divisional Officers.	1st 16th	1th 16th	1st 16th	1st 16th	1st 16th	1st 16th
Abstract of Important Correspondence between Divisional Forest Officers and District Officers.	1st	1st	1st	1st	1st	1st
Monthly Accounts	5th	5th	5th	5th	5th	5th
Return of Changes and Leave granted to Subordinates.	30th	31st	30th	31st	31st	30th
Register of Cheques and Cash Balance Report.	30th	31st	30th	31st	31st	30th
Register of Fixed Demands	1st	...	...	...	...	...
Establishment Form A	15th	...	...	...	...	...
Indent for Envelopes	15th	...	...	...	...	...
Market Rates of Forest Produce	30th	...	...	...	...	...
Return of Immovable Property held by Gazetted and non-Gazetted Officers.	...	1st	...	...	...	...
List of Forest Publications	...	1st	...	...	...	...
Indent for Medicines	...	15th	...	...	...	...
Return of Expenditure of Stores in financial year	...	15th	...	...	...	...
Applications for Letters of Credit	...	...	1st	...	...	1st
Indent for Adopted and Prescribed Forms and Stationery.	...	...	1st	...	...	...
Classified List of Officers	...	...	15th	...	...	...
Confidential Reports on Gazetted Officers and Subordinates.	...	...	...	1st	...	...
Return of Stores, Tools and Plant	...	...	...	1st	...	...
Annual Reports and Returns	...	...	...	...	1st	...
Chapter I of Budget Estimate	...	...	...	...	1st	...
New Entries in the Register of Reserved and Protected Forests.	...	...	...	...	1st	...
Report of Stock-taking	...	...	...	...	1st	...
Control Forms	...	...	...	...	15th	...
Annual Plan of Operations	...	...	...	...	...	1st
Budget Estimates	...	...	...	...	...	1st
Departmental Examination of Forest Officers.	...	...	...	...	...	15th
Karsong School Nominations	...	...	...	...	...	15th
Chevrone, Report regarding the award of.	...	...	...	...	...	...
Statement of Revenue and Expenditure.	...	...	...	...	...	...
Application for Temporary Establishment.	...	...	...	...	...	...
Report on Qualifications of Subordinates.	...	...	...	...	...	...
Forecast of European Stores required by Marine Department for Steamers.	...	...	...	...	...	...

mitted by Officers in charge of Forest Divisions.

DIVISIONAL OFFICERS.						REMARKS.
October.	Novem- ber.	December.	January.	February.	March.	
1st 16th	1st 16th	1st 16th	1st 16th	1st 16th	1st 16th	Section 185 (i) of Forest Department Code and Circular No. 92 M., dated 16th October 1919.
1st	1st	1st	1st	1st	1st	Circular No. 83 M., dated 25th May 1901.
5th 31st	5th 30th	5th 31st	5th 31st	5th 28th	5th 31st	Section 210 of Forest Department Code. Section 170 (i) of Forest Department Code.
31st	30th	31st	31st	28th	31st	Sections 151 (i) and 200 of Forest Department Code.
...	...	...	...	...	...	Circular No. 21 A., dated 10th May 1899.
...	...	...	...	...	...	Instructions issued by Accountant-General annually.
...	...	...	...	...	...	Circular No. 12, dated 15th April 1910.
...	...	...	...	...	...	Circular No. 11, dated 6th April 1907, —Karasong, Sambalpur, Sunderbans, Palaman and Puri.
...	...	...	...	...	...	Government of India, Home Department, Nos. 21-797-300 and 33-2103-11, dated 13th May 1895 and 11th September 1899, respectively.
...	...	...	...	...	...	Section 13 (n) of Forest Department Code.
...	...	...	...	...	...	Circular No. 200, dated 10th August 1900.
...	...	...	...	...	...	" No. 145, dated 30th July 1901.
...	...	1st	...	...	1st	Section 193 (ii) of Forest Department Code.
...	...	...	...	...	...	Stationary Manual, Appendix II), page 57.
...	...	...	...	...	...	" " " III, Part IIB, page 60.
...	...	15th	...	...	...	Circular No. 8, dated 7th April 1902, and Circular No. 230, dated 11th February 1903.
...	...	...	...	...	...	Circular No. 512, dated 8th July 1903, and vide Printed rules.
...	...	...	...	...	...	Section 3 (i) of Forest Department Code and Circular No. 107, dated 25th October 1902.
...	...	...	...	...	...	Section 209 of Forest Department Code.
...	...	...	...	...	...	Circular No. 30, dated 10th May 1897.
...	...	...	...	...	...	Section 81 (iv) of Forest Department Code.
...	...	...	...	...	...	Section 101 of Forest Department Code and Circular No. 97, dated 4th August 1899.
...	...	...	...	...	...	Section 92 (i) of Forest Department Code.
...	...	...	...	...	...	Section 81 (i) of Forest Department Code and Circular No. 87, dated 8th June 1901.
...	...	...	...	...	...	Section 124A of Forest Department Code.
...	...	...	...	...	15th	Circular No. 17, dated 13th April 1903.
...	...	...	...	...	...	Circular No. 163, dated 6th January 1903.
...	...	22nd	...	...	...	Circular No. 110M., dated 9th December 1902.
...	...	25th	25th	25th	...	Circular No. 201, dated 4th December 1907.
...	...	...	1st	...	...	Section 9 of Forest Department Code.
...	...	...	1st	...	...	Circular No. 135C., dated 11th December 1900.
...	...	...	...	...	15th	

### Charge Reports.

17. (1) All transfers of charge of Divisions should be reported by wire; while the usual formal report should be forwarded on the same day to the Accountant-General, Bengal.

(2) The date of arrival of attached officers in or departure from any Division should be reported by letter.

(3) The dates of departure and arrival in a Division of a subordinate either on transfer, or proceeding on or returning from leave, should be reported to the Conservator for inclusion in the Leave and Change Statement.

(4) Similarly when appointments, reductions, or dismissals are made, full details should be furnished as early as possible to ensure accuracy in the Distribution and Establishment Lists issued monthly.

### Annual Reports.

18. In the case of plants not being economic products, the nomenclature established by Sir Joseph Hooker's "Flora of British India" should be used. In all other cases plants should be described by the scientific name adopted in the official "Dictionary of the Economic products of India" either used alone or written after any English or Vernacular name which may be employed.

2. These directions should be carried out in the preparation of Forest Administration Reports. As regards the more generally known trees, plants and products, it will, if the Vernacular name is in common use, suffice to give the scientific equivalent once or twice when the product is first alluded to in the report.

Inspector-General  
Forests' Circular  
dated 20th July 1923.

No. 11,

Conservator's Circulars No. 74,  
dated 11th June 1902, and  
No. 98, dated 1st July 1902,  
and Government of Bengal,  
Revenue Department, letter  
No. 2749, dated 17th July 1903.

3. Divisional Officers should arrange to submit their Annual Reports direct to the Conservator of Forests so as to reach his office not later than the 1st August every year, and so ensure the submission to Government of an advance copy in proof of the Circle Annual Report by the 15th September.

ber.

### Annual Plans of Operations.

19. Annual plans should be prepared along with Budget estimates and should be submitted through the District Officers concerned at the same time as Budget estimates are submitted to the Conservator of Forests. Thus plans of operations for 1905-06 should be submitted not later than the 1st September 1904.

Conservator's Circular No. 67,  
dated 8th June 1904.

2. They should be for forest years, but need not be lengthened to explain minute discrepancies with Budget estimates due to the fact that the latter are for financial years.

3. They should be prepared with the object of displaying to District Officers concerned proposals for managing forests during the years they apply to.

4. When fellings, thinnings, export of forest produce, protection against fire and the execution of work of improvement and maintenance are proposed in accordance with prescriptions of a sanctioned working plan, it will suffice if this fact is briefly noted. But details of such works or operations should be briefly entered when they are merely

recommended in a working plan, or constitute deviations from or additions to a working plan, or concern forests for which a sanctioned working plan does not exist.

5. Arrangements for grazing and for the supply of right-holders and other local consumers should be explained, with such detail as the District Officer may require, whether they are in accordance with the provisions of a sanctioned working plan or not.

6. The plan should not be a financial plan. For if Budget estimates are prepared with full detail, they will constitute complete financial plans of operations, and the repetition of financial items will not serve any useful purpose.

7. They should not ordinarily exceed about one page in length for Divisions which are under working plans from which few important departures are proposed. In other cases they should not usually exceed two to four pages.

### Control Forms.

20. Entries in Form No. 4 should be written up under the following heads:—

Inspector-General of Forests'  
Circular No. 15W.P., dated  
5th June 1899.

- I.—Provisions of the working plan.
- II.—Suggested measures of the working plan.
- III.—Measures neither prescribed nor suggested in the working plan, but carried out during the year.

Inspector-General of Forests'  
Circular No. 7 W.P., dated the  
4th September 1903.

When submitting Control Forms 2 and 4, Divisional Forest Officers should always enter against the prescriptions and suggestions the paragraph of the working plan under which they are entered.

### Rules for the Preparation of Control Forms.

2. FORM 2. Entries in columns 7 to 12 on the Control Book side should agree with entries in columns 1 to 6 in the Register of Yield.

(2) Deficits of previous years should be first entered in red ink in the Control Book from columns 1 to 6 and in black ink from columns 7 to 14, if necessary.

(3) The question of carrying forward a deficit felling is one to be decided by the Conservator of Forests in each case. If a deficit felling is under 5 per cent. of the area or number of trees to be felled, it is not usually worth while bringing it forward unless it is certain that there will be no difficulty in getting the material sold.

(4) In the case of trees or coupes which have been sold but the produce of which has not been removed or only partially exploited during the year the area or trees should be shown as exploited on the Control Book side in columns 1 to 6 of the Register of Yield—a note to this effect being made in the Remarks column. In Form 2 of the following year the produce extracted will be shewn in columns 5 to 8 of the Register of Yield with a remark in column 11 to the effect that the produce is of the preceding year.

(5) The total figures in column 8 of the Register of Yield should agree with the outturn shown in Form 62, and the totals of column 9 with those in Form 63, and those in column 10 with Form 38 as far as possible.

3. FORM 4. (1) The entries in this Form are most conveniently arranged first under heads 1, 2, and 3 noted above, and then within these headings the arrangement should be according to budget sub-heads so as to agree with Form 38 as far as possible.

(2) Entries should not be copies of Form 35 and should be as concise as possible. Under Fire-protection it will be sufficient to show the area the protection of which is prescribed and the number of acres actually protected.

(3) Under Roads and Buildings it is necessary to show the whole of the work done in connection with works prescribed throughout the period covered by the Working Plan. Previous work and the cost thereof being entered in red ink in column 4. Column 5 should contain the expenditure of the year only.

(4) Arrears of creeper cutting (when prescribed) should be brought forward in red ink.

#### Supply of Stationery.

21. The scale for the supply of stationery is given in Appendix I, Part 46, Volume II of the Stationery Manual.

To enable the Conservator's office to incorporate the requirements of the entire circle in one consolidated return and forward it to the Controller of Printing and Stationery early in July of each year, Divisional Officers should submit their indents to the Conservator of Forests not later than the 15th of June. (*Vide* Appendix III, Part II B, Volume I of the Stationery Manual, and Government of India, Finance Department, Resolution No. 3324 S.R., dated the 30th May 1904.)

#### Purchase of Stationery.

22. The Conservator is empowered to sanction local purchases of stationery and rubber stamps up to a limit of Rs. 20 in each case.

Bengal Government Resolution  
No. 1633 F., dated the 23rd March 1905.

#### Red Tape.

23. The consumption of red tape should be restricted as much as possible, and parcels should always be tied with twine and not with red tape.

Superintendent of  
Stationery's Circular No. 2,  
dated the 22nd February  
1901.

#### Chubb's Locks.

24. Chubb's locks should be obtained through the Stationery Office and included in the general stationery indent.

Government of India's  
Resolution No. 4275 S. R.,  
dated the 16th September  
1903.

#### Typewriters.

25. The Conservator is empowered to sanction the supply of typewriters by the Stationery Department for use in all offices of his circle.

Bengal Government Circular No. 15 F.,  
dated the 26th March 1906.

## Repairs of Mathematical Instruments.

26. All instruments requiring repairs, especially theodolites and levels, should be sent to the Mathematical Instrument Office for repair in April or May, so that they can be repaired and returned before the next cold weather.
- Any levels and theodolites which are surplus and not required should be sent to the above office for "deposit," for which credit will be afforded in the usual manner.

Assistant Surveyor-General's Circular memorandum No. 2, dated the 10th March 1904.

Inspector-General of Forests' Circular No. 6, dated the 22nd April 1904.

## Supply of Maps.

27. The Map Record and Issue Office, Calcutta, supplies printed maps on the public service, on book debit, when the value exceeds Rs. 50, and on cash payment when up to that value. It also arranges for the colouring and mounting of maps when required. All charges for freight and postage of parcels must be borne by applicants themselves. Incidental charges for colouring, mounting, and binding maps and for packing cases are included in the bills submitted by this office. When accounts are settled by book debit, the rules as to the disposal of the duplicates and triplicate copies of the invoice, printed thereon, must be strictly adhered to. Cash payments include payments by money-order, remittance transfer receipts, and cheques (not crossed) on European banks in Calcutta. Hundi and receipts for payment into treasuries are not accepted, but postage labels of the value of half or one anna, are accepted for bills not exceeding one rupee in amount.

All applications for printed maps on the public service should be made to the Officer in charge of the Map Record and Issue Office, 13 Wood Street, Calcutta, and should give full and clear particulars as to the kind of map required and its scale, and any other information that will guide that officer in knowing exactly what is required.

The mode of transit and address or station to which the maps are to be sent should invariably be specified. All addresses should be clearly written.

Indent forms for maps on the public service can be obtained from the Officer in charge of the Map Record and Issue Office.

Lists of all newly-published maps are periodically notified in the Gazettes of India and Local Governments.

Indents for maps must be duly approved and countersigned by the Conservator of Forests.

## Modification of Boundaries to be communicated to Superintendent of Forest Surveys.

28. Copies of all notifications issued by Local Governments constituting or modifying the boundaries of Reserved and Protected Forests, together with indicative tracings or sketch maps, should be supplied direct as soon as they are issued to the Superintendent of Forest Surveys for the purpose of enabling that officer to make the requisite additions or alterations in the corresponding maps in his office.

Government of India's Circular No. 17 E., dated 29th July 1933.



### Maps to illustrate Quinquennial Reports.

29. Forest maps are to be appended to all Provincial Forest Administration Reports once in every five years, with effect from the quinquennial period commencing with the year 1898-99.

Inspector-General of  
Forests' Circular No. 1010,  
dated 9th November 1897.

### Delegation of Power to the Conservator *re. Maps.*

30. The Conservator of Forests may request the Superintendent of Forest Surveys to prepare and print special maps, without reference to the Local Government or the Inspector-General of Forests, provided the cost does not in each case exceed Rs. 500, and also that the expenditure can be met from funds provided in the budget in cases in which maps are required to illustrate reports, etc.

Government of Bengal  
Ordinance No. 2833T.,  
Rt., dated the 4th Novem-  
ber 1899.

*Note.*—A reference should be made to the officer in charge, Bengal Secretariat Book Depot, to ascertain the number of copies required, as the distribution list is constantly changing.

### Forest Surveys.

31. The following procedure has been laid down, in consultation with the Surveyor-General, in regard to the procedure to be followed in connection with forest surveys and in obtaining forest maps—

Inspector-General's circular  
No. 7-1897, dated the 29th  
April 1910.

1. Ordinarily the survey of forest areas will be carried out on a scale of 2"=1 mile and maps thereof furnished to Forest Department except where the 1"=1 mile standard sheets are found to be sufficient for forest purposes.

2. Similarly forest areas will be surveyed by the topographical party, who will at the same time prepare a skeleton boundary of demarcated forests on the scale of 4"=1 mile. These charges will be debited to the Survey Department unless a rearrangement of standard sheets or republication is found to be necessary, in which case the whole cost will be debited to the Map Office.

*NOTE.*—It rests with Circle Superintendents of the Survey Department to ascertain from Conservators the scale on which maps of forest areas included in the ordinary topographical programme are required.

3. The following procedure should be adopted in cases in which it is desired to carry out an urgent survey of an individual forest or of a boundary outside the ordinary topographical programme after the sanction of the Government of India has been obtained to the survey:—

The Conservator should first ascertain from the Superintendent of the Survey Circle in which the area to be surveyed lies whether he can undertake the work in the ordinary course or not. If not, the Conservator should obtain an estimate of the cost from the Circle Superintendent, and apply to the Local Government for sanction to the work being undertaken as a special case. If sanction is accorded it should be communicated by the Conservator to the Surveyor-General, who will endeavour to make the necessary arrangements for carrying out the work after consulting the Inspector-General of Forests, if he considers this necessary, and after obtaining the approval of the Government of India.

*NOTE.*—In provinces where there is a Chief Conservator, that officer will apply for the sanction of the Local Government and communicate all sanctions to the Surveyor-General.

4. When at any time (whether the survey falls within the ordinary, topographical programme or not) a survey on a scale larger than 2 inches to the mile is desired, the work will be "special" and the whole cost will be debited to the Forest Department in the province concerned. In such cases the procedure will be that prescribed in rule III.

### Forest Maps.

32. (i) All forest maps prepared from surveys made in accordance with the above rules will be supplied on indents countersigned by Divisional Forest Officers (who should previously obtain the Conservator's sanction thereto). All indents for such maps should be addressed to the Officer in charge, Forest Map Office, Dehra Dun.

(ii) Second or further editions of the maps referred to in rule I will be prepared only by order of Local Governments and at their cost. If a new edition of any existing map is considered necessary, the Conservator should first consult the officer in charge of the Forest Map Office, Dehra Dun, who will decide whether it will suffice to correct the maps of the previous edition by hand, or whether the maps should be republished after the corrections have been carried out in his office. In the latter event, the officer in charge of the Forest Map Office will supply an estimate of the cost, and the Conservator will apply for the sanction of the Local Government to the publication of a new edition, as well as to the number of copies to be printed and their distribution.

(iii) When new additions of maps on any scale necessitate additional survey work in the field, the procedure prescribed under No. 3 of the Forest Survey Rules should be followed.

(iv) Special maps, such as those showing the forest areas in a province or a forest circle, or to illustrate a report, etc., will either be prepared by local forest officers or by the Forest Map Office. The cost of all special maps will be charged to Local Governments. The Conservator may, if authorized by the Local Government to do so, correspond direct with the officer in charge of the Forest Map Office to ascertain the cost of the special maps he requires prepared or published, and whether such maps can conveniently be prepared. If this can be done, the Conservators may authorize the preparation of such maps and pay for them up to a limit of Rs. 500 in each case, provided that the expenditure can be met from his grant. The officer in charge of the Forest Map Office will be responsible in such cases for not undertaking any work that may seem to him uncalled for having regard to the maps that are already available; and also for not undertaking work that he is not in a position to carry out punctually.

Bengal Government endorsement No. 2333 T.—R., dated the 4th November 1909.

Should the estimated cost of any special map exceed Rs. 500, the sanction of the Local Government and of the Inspector-General of Forests must be obtained before the preparation of the special map is undertaken.

NOTE 1.—This rule applies both to special maps prepared in the Forest Map Office and to those prepared by local forest officers and sent to the Forest Map Office for publication.

NOTE 2.—A reference should be made to the officer in charge, Bengal Secretariat Book Depot, to ascertain the number of copies required, as the distribution list is constantly changing.

### Rules for the supply of Printed Forms.

33. Printed forms will be supplied by the Controller of Printing and Stationery on indents signed or countersigned by the officers entitled to indent direct.

Indents are of three kinds—

- Bengal Government Circular  
No. 1., Dated 12th July 1902.
- (a) Annual indents.
  - (b) Supplementary indents.
  - (c) Emergent indents.

Annual indents should be for a supply of all the forms contained in the printed list of each department, sufficient to meet the full requirements of one year, and not more than one annual indent must be submitted from each office for any one class of forms. Separate indents for the same forms from the several departments under one officer are expressly forbidden, but any forms which are to be paid for should be indented for separately.

Supplementary and emergent indents may be due to under-estimate in the annual indent, the accidental loss of forms, the revision of existing or the introduction of new forms, or to an unforeseen demand. Their submission causes considerable inconvenience to the Stationery Office, and every care, as far as possible, should be taken, by the exercise of forethought at the time of submission of the annual indent, to prevent the necessity for them arising. When supplementary and emergent indents, however, are unavoidable, satisfactory explanations must be furnished of the circumstances under which they are required, and the supply of forms indented for should be sufficient, taken with any stock in hand, to last up to the end of the period fixed for the annual indent.

Indents should be prepared in duplicate, one copy being retained in the indenting office, and the other being submitted to the Superintendent of Stationery. Accompanying the latter copy an invoice sheet (Form No. 8, Appendix I) will invariably be sent, which will be returned to the indenting officer with the forms, when supplied, for his signature and return again to the Stationery Office as his receipt for the forms.

Instructions for the preparation of indents are given in foot-notes on the forms. Where it is impossible to comply with them, explanations should be entered. A correct indent can only be based on an exact knowledge of the stock of forms in hand and an intelligent forecast of future requirements. Stock-taking and the custody of forms are dealt with below. The officer in immediate custody of the forms should be held directly responsible, under the indenting officer, for the careful preparation of the indents.

The dates upon which the annual indents of different officers should reach the Superintendent of Stationery are given in column 4 of Appendix IIA and column 3 of Appendix IIB. The punctual submission of all indents is essential.

Any demand for forms exceeding by more than 10 per cent. the consumption of the indent year last completed must be clearly explained when the indent is submitted; otherwise it will be liable to out-ailment, or delay may be caused by consequent correspondence.

*Custody of Printed Forms in Indenting Offices and Stock-taking.*

In every indenting office an officer should be specially deputed by the head of the office to have the custody of all printed forms, for which he will be personally responsible. An officer of gazetted rank should be so employed when there is one. A special English-knowing ministerial officer to keep the accounts of the receipt and consumption of forms should similarly be nominated by the head of the office.

Packages containing forms should be opened and examined, as soon after arrival as possible, in the presence of the officer deputed under the preceding rule, who will be required to certify as to the condition in which their contents were received, and to compare them with the invoice sheet accompanying. Any differences either in kind or quantity between the forms mentioned in the invoice sheet and those actually received must be stated in detail below the printed form of receipt, which must be signed and despatched to the Superintendent of Stationery immediately after the examination is completed. The nature and extent of any damage to the packages or their contents should be clearly stated.

Space should be specially set apart for the storage of forms, and on receipt they should be arranged in it under lock and key. It is essential that the general office staff should not be able to have access to the forms without the knowledge of the officer in charge.

Indenting officers should, by standing order, prescribe the procedure under which forms shall be issued from store for consumption in their offices. The essential conditions to be ensured are that no forms shall be issued without immediate entry in the accounts mentioned in the succeeding rule; that no forms shall be issued except under proper authority; and that no supply of forms of any one kind in excess of the anticipated requirements of one\* month shall be issued at one time. The practice of making over at one time to the department or clerks concerned the whole supply estimated for the consumption of the year is prohibited. It effectually defeats the maintenance of any efficient check over the consumption of forms.

An account in English shall be kept of all forms received and issued by the ministerial officer nominated under Rule 1. As all forms come into or leave the store, their receipt and issue shall be promptly recorded in this account, and the forms of each description in hand shall be balanced at the end of each quarter.

In addition to the entry of forms received under annual, emergent or supplementary indent, it is essential to record the receipt and issue of the same forms if obtained from other sources. It is known that forms are occasionally borrowed from subordinate or neighbouring offices; similarly, they are sometimes, on emergency, printed locally or cyclostyled. Such practices are irregular, and, as an alternative to the submission of supplementary or emergent indents, are absolutely forbidden. If forms are exhausted, the only course recognized is to indent upon the Superintendent of Stationery for a fresh supply, and with the exercise of proper foresight it should be possible to obtain them in time to prevent the stoppage of work. Should the alternative, however, be an interference with work, in the event of any delay in the submission of indents or in compliance with them in the office of

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\* A shorter period may be fixed if convenient.

the Superintendent of Stationery, exceptional measures may have to be taken. When, however, recourse is had to them in instances of such unusual urgency, the unauthorized supplies thus obtained must be shown in red ink in the Register of Receipts and Issue; otherwise that register, as a record of the consumption of forms in the office, becomes incomplete and misleading.

Stock shall be taken of the forms in each section once a year. The counting of all forms shall be done by the clerk in charge of the Register of Receipts and Issues of Forms, and the officer in charge shall check not less than 10 per cent. of the entries. The register shall then be corrected to show the actual verified balance in hand, and the orders of the indenting officer taken as to any discrepancies discovered.

In order to reduce labour and to minimise the possibility of mistakes, stock-taking should be done when stock is at its lowest, that is, for each section, in the course of the month immediately preceding the receipt of the fresh supply of the forms of the section from the Superintendent of Stationery.

#### *Introduction of New and Revised Forms.*

The date for the introduction of revised and newly-prescribed forms should ordinarily coincide with, or be after, the time fixed for the receipt of the annual supply of the section concerned, in order that the Superintendent of Stationery may have each form printed with the other forms for the annual supply. In cases where the immediate revision of an old, or the introduction of a new, form is found necessary, the revising officer should obtain a specific order of Government to the effect that the revision or introduction cannot be postponed till the usual time for printing for that particular section. Where no such order is obtained, the Superintendent of Stationery will not treat the order as urgent, but will comply with it when the next supply of forms is issued.

Hasty and unnecessary revision of standing forms should be avoided. The revising authority must in all cases pass orders for the disposal of the stock in hand of the old form which has been rendered useless by the introduction of the new.

Samples of newly-authorized forms are to be forwarded by heads of departments to the Superintendent of Stationery with an order for printing and an estimate of the probable consumption of one year. Such working samples should reach the Superintendent of Stationery before the dates on which the submission to him of the annual indents is due, so as to allow ample time for the printing of the stock required.

#### *Rules for dealing with Indents for Printed Forms in the Office of the Controller of Printing and Stationery and in the Press.*

No forms other than the sanctioned standard forms are to be supplied without the order of the Government or the Chief Controlling Authority.

Non-standard forms are special forms (not included in the standard list) required by the heads of departments generally for their own office. These are not kept in the reserve stock of the Stationery Office,

but are printed according to the authorized samples furnished in each case by the indenting officers with their indents. The annual indents for such forms are dealt with in the Stationery Office in the order of dates.

Desultory or emergent indents for the immediate supply of non-standard forms must not be submitted, except under very special circumstances, when a month's time will be allowed to comply with an indent.

The Superintendent of Stationery, in communication with the heads of central offices, is to determine the qualities and sizes of paper required for the several kinds of forms.

Officers are to be reminded when indents are due, and in case of failure to submit them in proper time should be reported to superior authority. The requirements of officers whose indents have not been received are to be provided for in the annual consolidated indent on the Press on the basis of the indents received from them in the previous year.

### MISCELLANEOUS.

#### Publication of Forest Memoirs.

34. When any person desires to publish a Forest Memoir Record, Pamphlet or Leaflet, he should send the manuscript (and illustrations for reproduction) direct to the President of the Imperial Forest Research Institute at Dehra Dun, stating his wishes with regard to the form in which it should be published.

*Inspector General of Forests's  
Circular No. 9200 I, dated 23th  
May 1933.*

#### *Rules for the Printing, Illustration and Issue of Forest Department Publications.*

- (i) The responsibility of the issue of forest publications rests with the President, Imperial Forest Research Institute, who will either himself conduct all necessary correspondence therewith connected, or depute one of his staff for that purpose.
- (ii) The procedure will be as follows:—
  - (a) When any person desires to publish a Forest Memoir, Record, Pamphlet or Leaflet, he should send the manuscript and illustrations for reproduction direct to the President of the Imperial Forest Research Institute at Dehra Dun, stating his wishes with regard to the form in which it should be published.
  - (b) The President of the Imperial Forest Research Institute will transmit the manuscript to the Inspector-General of Forests, and the latter after perusal will return it to the President of the Imperial Forest Research Institute with his orders.
  - (c) The President of the Imperial Forest Research Institute will then forward it with the necessary instructions to the officer deputed for passing forest publications through the Press, and this officer will forward the first proof in duplicate to the author for correction and the final proof to the President of the Imperial Forest Research Institute for perusal before printing off.

- (iii.) The officer deputed to pass publications through the Press will correspond direct with the Press and the other agencies employed, but inasmuch as he has no power to alter the manuscript in any way he will not be entitled to use the designation of "Editor," nor will his name appear as such in the publications.

### Telegrams.

35. The Head Clerk of a Divisional Forest Office should be authorized to open all telegrams addressed to the Divisional Officer by his official designation in order that he may be able to put up papers so as to ensure a prompt reply. Telegrams addressed by name will of course be treated as "Confidential."

36. Telegraphic communications regarding applications for leave of absence and for appointments should not be sent at public expense. An officer seeking leave or applying for an appointment should prepay his reply. No one communicating with Government is entitled to a reply by telegram.

Officers should be referred to by name in all communications to Government.

37. In referring to an officer mentioned in communications to Government he should be referred to by name as well as by his official designation.

Conservator's Circular No. 108, dated 9th August 1899.  
Government of India Circular No. 941, dated 18th June 1894.  
Bengal Government's Circular No. 8, dated 28th February 1897.

### CHAPTER III. ESTABLISHMENT.

#### Scale of Establishment.

1. The following is the scale of permanent establishment sanctioned for the Province of Bengal:—

	Rank.	Grade.	Pay. Rs.	Number.
Government of India letter No. 365F, dated 5th March 1909.	<i>Imperial Forest Service.</i>			
	Conservators of Forests ...	...	...	1
	Deputy and Assistant Con- servators of Forests.	...	...	10*
	<i>Provincial Forest Service.</i>			
	Extra Deputy Conservators of Forests.	...	...	2
	Extra Assistant Conservators of Forests.	...	...	9

#### \*Subordinate Forest Service.

Government of Bengal letter No. 2313 T.—R., dated 10th October 1907.	Rangers	...	1st	150	2
			2nd	125	2
			3rd	100	4
			4th	80	6
			5th	60	7
			6th	50	5
	Deputy Rangers	...	1st	40	13
			2nd	35	13
			3rd	30	20
	Foresters	...	1st	25	24
			2nd	20	14
	Forest Guards	...	...	14	7
			...	12	31
			...	10	78
			...	8	151
			...	7	133

#### 'Office Establishment.

			Pay. Rs.	Number.
Government of Bengal letter No. 1895 T.—R., dated 10th Sep- tember 1906.	Superintendent	...	300-20-400	1
			120-6-150	1
			120	1
	Clerks	...	100	2
			80	3
			60	4
			50	8
			40	12
			35	5
			30	6
			25	6
	Draftsman	...	40-2-60	1
	Duftry	...	12	1
	Peons	...	10	2
			8	8
			7	15
			6	5

\* Pay according to Time Scale—vide India Government Circular No.  $\frac{5F}{38-2}$ , dated the 15th February 1907.



*Authorizations.*

2. The announcement in the *Government Gazette* of an appointment, removal, leave of absence, etc., over the signature of a Secretary to Government, is sufficient authority for all officers concerned to recognize and act upon without any particular orders.

Board's Rules, page 23.

**Recruitment of Services.****3 (a). The Provincial Forest Service.**

Subject to the satisfaction of the claims of persons already qualified under the rules hitherto in force, appointments to the Provincial Forest Service shall be made—

- (a) by the promotion of Forest Rangers of long service and tried ability and probity irrespective of the educational qualifications they may hold;
- (b) by the selection for direct appointment of candidates who must successfully pass through the full three years' course at the Imperial Forest College, Dehra Dun, and thereafter render not less than three years' satisfactory service as Probationary Extra Assistant Conservators of Forests before being confirmed.

Government reserves to itself the right to fill all vacancies in such of the two ways described as it may consider best in the interests of the public service.

2. Candidates for direct appointment will be selected from—

- (a) Candidates deputed to the two years' Ranger course who obtain the Honours certificate of the Imperial Forest College at the end of that course and who are recommended by the Principal of the College as suitable for direct appointment to the Provincial Service.
- (b) Forest Rangers who have obtained the Higher Standard certificate of the Imperial Forest College after passing through the two years' Ranger course, and who have specially distinguished themselves thereafter by their work and conduct during a period of not less than two years' service as Forest Rangers. Rangers whose age exceeds twenty-eight years will not be selected under this rule.
- (c) Other candidates selected to pass through the full three years' course continuously and to join the service as Probationary Extra Assistant Conservators of Forests without any intermediate period of service as Forest Rangers.

3. Candidates for appointment under rule 2 (c) above will be nominated by the Local Government with special reference to high educational and social qualifications and to physical fitness for work in the Forest Department. It will generally be expected that a nominee should obtain the Honours certificate of the Imperial Forest College at the end of the first two years of the full course. Should he fail to do so, it will depend largely on the recommendation of the Principal of the College whether he should be allowed to proceed to the third year's course and continue to be accepted as a prospective member of the Provincial Forest Service. Should, however, the Principal recommend any such nominee who, having failed to get Honours, has nevertheless obtained the Higher Standard certificate, on the ground that he has displayed such special ability, character and other

qualifications as are likely to render him a useful member of the Provincial Forest Service, the nominee will usually be permitted to take up the third year's course. After the conclusion of that course, nominees, certified to have passed it satisfactorily, will be appointed to the Provincial Forest Service, on probation, for a period of three years, liable, however, to be further extended at the discretion of Government.

4. The pay of the Probationary Extra Assistant Conservators of Forests will be Rs. 150 per mensem during the period of their probation, and thereafter Rs. 200 per mensem until they can be appointed to vacancies in the sanctioned cadre of the Provincial Forest Service.

5. Candidates selected under rules 2 (a) and 2 (b) above will receive, during the third year's course at the Imperial Forest College, a monthly stipend of Rs. 100, or, in the case of candidates under rule 2 (b), the pay of their grade, whichever is greater. Candidates nominated under rule 2 (c) will receive such monthly stipends as the Local Government may fix in each case, subject to a maximum of Rs. 100 per mensem throughout the three years' course.

6. Candidates nominated under rule 2 (c) must not be less than nineteen or more than twenty-three years of age on the date of admission to the College. On the nomination of a candidate, he will be required:—

(a) To produce the following certificates:—

(i) A certificate that he is a "Native of India" as described in section 6 of 33 Vict., Cap. 3.

(ii) A certificate of age.

(iii) A health certificate in the form prescribed by article 49 of the Civil Service Regulations (fifth edition), signed by a Commissioned Medical Officer or by a Medical Officer in charge of a civil station, and certifying to the nominee's sound constitution, good vision and hearing, and general physical fitness for a rough outdoor life in the Forest Department, and to the fact that he bears marks of successful vaccination or of small pox.

(iv) A certificate that he has passed one or other of the following examinations, viz.—

(1) the B.A., F.A., B.S., or Licentiate of Agriculture examination;

(2) the Matriculation examination, where no School Final examination exists;

(3) the School Final examination, provided the nominee can show that he is qualified in English and Mathematics up to the Matriculation standard or, for a European nominee, a certificate of having passed the High School examination with a similar proviso.

(v) A certificate of respectability and good moral character from two or more persons whose social or official position can be accepted as a guarantee of trustworthiness.

(b) To sign an agreement binding himself to work diligently while at the College and to serve Government not less than five years after passing out of the College.

(c) To find two sureties to execute a bond in the prescribed form guaranteeing that under special circumstances therein

detailed they will refund all monies expended by Government on the nominee's behalf, &c.

- (d) In order to prove his fitness for forest work, to undergo preliminary practical training in such Forest Divisions as the Conservator of Forests, Bengal, may direct, extending over a period of not less than three and a half months and not more than six months.

During this preliminary training the candidate may be granted a stipend of Rs. 40 per mensem in addition to the monthly allowance of Rs. 25 referred to in rule 4 of the rules for the selection of candidates for deputation to the two years' Ranger course.

7. Candidates selected under rule 2 (b) will be required to sign the agreement and security bond referred to in rule 6 (b) and (c) before re-entering the College for the third year's course.

NOTE.—Copies of the agreement and bond to be executed under rules (b), (c) and 7 can be obtained from the Conservator of Forests, Bengal.

### 3 (b). The Subordinate Forest Service.

#### I.—RULES FOR THE APPOINTMENT OF FOREST RANGERS, DEPUTY RANGERS, AND FORESTERS.

1. The Conservator of Forests, Bengal, may appoint the following to the class of Forest Ranger:—

- (i) Deputy Rangers of long service and tried ability and probity irrespective of the educational certificates they may hold.
- (ii) Candidates who have obtained the Honours certificate or the Higher Standard certificate, after passing through the two years' Ranger course at the Imperial Forest College, Dehra Dun.
- (iii) Candidates who have obtained the Lower Standard certificate after passing through the abovementioned course at the Imperial Forest College and who have rendered thereafter not less than two years' satisfactory service in the class of Deputy Ranger.
- (iv) Deputy Rangers or Foresters who have passed through the Kurseong Forest School course with credit and who have rendered thereafter not less than two years' satisfactory service in the class of Deputy Ranger.
- (v) Deputy Rangers or Foresters who have passed through the Kurseong Forest School course successfully and who have rendered thereafter not less than five years' satisfactory service in the class of Deputy Ranger or Forester.

NOTE.—The provisions of the above rules (iv) and (v) are subject to the condition that no Deputy Ranger who has not passed through the Ranger course at the Imperial Forest College, Dehra Dun, shall be promoted to the class of Forest Ranger with less than a total of eight years' service in the permanent establishment.

2. The Conservator of Forests, Bengal, may appoint the following to the class of Deputy Ranger:—

- (i) Foresters of long service and tried ability and probity irrespective of the educational certificates they may hold.

- (ii) Candidates who have obtained the Lower Standard certificate after passing through the two years' Ranger course at the Imperial Forest College, Dehra Dun.
- (iii) Foresters or candidates who have passed through the Kurseong Forest School course with credit.
- (iv) Foresters or candidates who have passed through the Kurseong Forest School course successfully and who have rendered thereafter three years' satisfactory service in the class of Forester.

3. Foresters will be appointed by the Conservator of Forests, Bengal, under the provisions of article 34 of the Forest Department Code.

## II.—RULES FOR THE SELECTION OF BENGAL CANDIDATES FOR DEPUTATION TO THE TWO YEARS' RANGER COURSE AT THE IMPERIAL FOREST COLLEGE.

1. The number of candidates to be selected annually will depend on the requirements of the Department, but ordinarily will not exceed two.

2. Candidates for these appointments must apply to the Conservator of Forests, Bengal, and their applications must be accompanied by the certificates required by the rules of the Imperial Forest College, Dehra Dun. Candidates must have passed the Entrance examination of a recognized Indian University, and preference will be given to those who, in addition to possessing the necessary physical qualifications for service in the Forest Department, have passed the F. A. examination.

3. From the applications received, the Conservator of Forests will make a preliminary selection; and the candidates so selected will be required to present themselves before the Conservator at a time and place to be fixed by him. From the candidates present, the Conservator will make a further selection of not more than twice the number of men to be deputed to the Ranger course at the Imperial Forest College in the ensuing year.

4. Candidates so selected will be required to undergo a course of preliminary practical training in such Forest Division or Divisions as the Conservator of Forests may prescribe. This course of training will extend over not less than three and a half months and not more than eight months, and during it candidates will be granted a monthly allowance at the rate of Rs. 25, which is intended to cover their expenses. The Conservator of Forests will dispense with the services of candidates whose work or conduct during this preliminary training is unsatisfactory.

5. The final selection of candidates for deputation to the Imperial Forest College will be made by the Conservator of Forests in accordance with the results of this practical training, preference being given to the men who promise to make the best Forest Officers. While at the Imperial Forest College the selected candidates will be granted a monthly stipend of not less than Rs. 40 and not more than Rs. 50, provided they execute the agreement and security bond prescribed by Government.

Bengal Government Notification No. 1010 T.—B. dated the 23rd June 1910.

6. Candidates who obtain the Honours certificate of the Imperial Forest College may be deputed to undergo the third year's course for direct appointment to the Provincial Service, if recommended by the Principal of the College as likely to make useful members of the Provincial Forest Service. Under similar conditions, candidates who obtain the Higher or Lower Standard certificates will be appointed Rangers or Deputy Rangers, on monthly salaries of not less than Rs. 50 and Rs. 40, respectively.

*List of Certificates required under Rule 2.*

(a) A certificate that the candidate is a "Native of India" within the meaning assigned to those words by section 6 of 33 Viot., Cap. 3.

(b) A certificate of age.

(c) A health certificate in the form prescribed by article 49 of the Civil Service Regulations, (fifth edition), signed by the Civil Surgeon of the district in which the said Divisional Forest Officer's or Collector's duties lie, and testifying to the candidate's sound constitution, good vision and hearing, and general physical fitness for a rough outdoor life in the Forest Department, and to the fact that he bears on his body marks of successful vaccination or of small-pox.

(d) A certificate of respectability and good moral character from two or more persons whose social or official position can be accepted as a guarantee of reliability.

The certificates (c) and (d) must bear date not further back than the 1st April of the year previous to that in which the candidate desires admission to the College.

If any person giving certificates as above under (c) and (d) is in a position to mention anything more to the credit of the candidate than the certificates actually call for, he may do so.

(e) A certificate of having passed one of the following examinations, viz.—

- (i) the B.A., F.A., B.Sc., or Licentiate of Agriculture;
- (ii) the Matriculation, where no School Final examination exists;
- (iii) the School Final examination, provided the candidate can show that he has qualified in English and Mathematics up to the Matriculation standard or, for European candidates, a certificate of having passed the High School examination with a similar proviso.

**NOTE.**—Copies of the agreement and bond to be executed under rule 5 can be obtained from the Conservator of Forests, Bengal.

### III.—RULES TO REGULATE THE ADMISSION TO THE COURSE OF INSTRUCTION AND DISCIPLINE AT THE KURSEONG FOREST SCHOOL.

(Sanctioned in Government Order No. 2138, dated 14th July 1909.)

#### I. Constitution of the School.

1. The School, which will be under the administrative control of the Conservator of Forests, Bengal, is intended primarily for the instruction in practical forest work of the Subordinate Executive Establishment of the Bengal Forest Circle below the grade of Forest Ranger, and of men sent for instruction by Native States and

Zamindaris under the control of the Government of Bengal. If vacancies exist after the requirements of the above have been satisfied, private students may be admitted at the discretion of the Conservator and subject to such educational qualifications or practical tests as he may require. Such admissions will carry no stipend nor promise of future employment with them. Any alterations in the course of study or in the rules for admission of students shall be subject to the approval of the Local Government.

2. The Divisional Officer, Kurseong Forest Division, shall be Director of the School in addition to his other duties. He will be assisted by an Instructor, who ordinarily will be an Extra Assistant Conservator of Forests of the Bengal Provincial Forest Service. The Director will be responsible for the supervision of the course of study and the accounts and correspondence connected with the School. The Instructor will be responsible to the Director for the discipline of the students and the up-keep of the School buildings and grounds.

## II. Rules for Admission.

3. Subject to such increase as may be necessary hereafter the number of students admitted annually shall be 16. Of this number 8 scholarships shall be reserved for subordinates of the Forest Department and 8 shall be allotted, at the discretion of the Conservator of Forests, Bengal, to Native States and Zamindaris under the control of the Bengal Government.

4. Nominations of forest subordinates to studentships shall be made by the Conservator of Forests, Bengal, Divisional Forest Officers forwarding to him the names of men recommended not later than the 15th September in each year. Such recommendations shall be supported by medical certificates of physical fitness of recent date. Divisional Forest Officers shall not recommend men whose educational qualifications are insufficient to enable them to follow the course of instruction profitably.

5. Studentships allotted to Native States and Zamindaris will be distributed by the Conservator of Forests, Bengal. Applications for such studentships shall be made to the Conservator of Forests: in the case of Native States through the Political Officers, and in the case of Zamindaris through the Commissioner of the Division concerned. Applications for private students must be submitted through a District Magistrate or a Divisional Forest Officer to the Director.

6. Persons desirous of entering the School as private students must not be less than 18 or more than 25 years of age, and must submit the following certificates:—

- (i) A certificate that the candidate is a native of India.
- (ii) A certificate of age.
- (iii) A health certificate in the form prescribed by article 49 of the Civil Service Regulations, signed by the Civil Surgeon of the district in which the Divisional Forest Officer's duties lie, and testifying to the candidate's sound constitution, good vision and hearing, and general physical fitness for a rough outdoor life in the Forest Department.

*Note.*—This certificate should also state that the candidate bears on his body marks of successful vaccination or of small-pox.

- (ii) A certificate of respectability and good moral character from two or more persons whose social or official position can be accepted as a guarantee of reliableness.

7. Forest subordinates deputed to the School will draw the pay of their grade subject to a minimum of Rs. 25 per mensem, and while on tour will draw travelling allowance in accordance with the Civil Service Regulations. Students from Native States and Zamindaris and private students will be required to pay in advance to the Director a sum of Rs. 50 to cover the use of quarters, stationery, instruments and shuldaries while on tour. Also they must deposit with the Director a further sum of Rs. 50 as security for good behaviour, which will be returned at the end of the course if not confiscated in whole or in part, or utilized to compensate for any damage done, or for bills left unpaid by them. Students deputed from Native States and Zamindaris shall be paid by the Director, and such pay shall not be less than Rs. 25 per mensem with the corresponding travelling allowance as drawn by Forest subordinates. The States or Zamindaris concerned shall remit to the Director funds sufficient to cover the pay and travelling allowance of their students. Ordinarily such remittances shall be made quarterly in advance.

### III. Course of Instruction.

8. The course of instruction will be in English, and will extend from a minimum of 10 months to a maximum of 1 year, and will commence on the 1st November in each year. The first six months—from the 1st November to the 1st May—will be spent in practical instruction in the plains forests of the Kurseong Forest Division, or such other Forest Division of the Bengal Circle as the Conservator of Forests, Bengal, may direct: during this part of the course simple lectures will be given by the Instructor in order to more fully explain the practical work. The remainder of the course will be at Kurseong with such excursions as may be necessary to the hill forests of the Kurseong and Darjeeling Forest Divisions: during this part of the course regular lectures will be given by the Director and by the Instructor. Intermediate examinations will be held from time to time throughout the course at the discretion of the Director. The final examinations will take place at Kurseong during the last part of the course. These final examinations will be oral and practical only, and will be held by two Officers of the Imperial Forest Service deputed for the purpose by the Conservator of Forests, Bengal, with the assistance of the Director and Instructor.

9. The subjects taught during the course of instruction, which will be chiefly practical, will comprise—

#### I. FORESTRY—

##### (a) Sylviculture, including forest management—

(i) General, soil, climate, distribution of forests.

(ii) Artificial regeneration—

(1) Choice of species.

(2) Collection, testing and storage of seeds.

(3) Direct sowing—

(a) Conditions of success.

(b) Season for sowing.

- (c) Preparation of soil.
- (d) Various methods of sowing.

(4) Planting—

- (a) Season for planting.
- (b) Brief description of the different kinds of plants as regards age, size, quality, etc.
- (c) Density of planting; distribution and number over the area.
- (d) Lifting plants and protection in transit.
- (e) Nurseries and their management.
- (f) Brief description of the various methods of planting, and conditions under which each method is advisable.
- (g) Maintenance operations in plantations, weedings, cleanings and thinnings.

(iii) Natural regeneration—

The chief sylvicultural systems in use in the Bengal Forest Circle, including the treatment of bamboo forests.

(iv) Maintenance and improvement of forests—

Improvement fellings, thinnings, cleanings, climber cuttings.

(v) Working plans—

Necessity for and simple application of working plans, illustrated from plans in force in the Bengal Forest Circle.

(b) Protection—

Demarcation and protection of forests from injuries caused by men, animals, insects, fires, and natural causes.

(c) Utilization—

(i) Major produce—

Chief timbers and their uses.

Felling, conversion, seasoning, transport, stacking of timber and fuel.

Timber depôts and their management.

(ii) Minor produce—

Bamboos, grasses, charcoal, rubber, lac, myrabolams, honey, wax, silk, etc.

## II. FOREST ENGINEERING—

- (a) Survey. Plane-table, chain and prismatic compass. Estimation of areas from maps, reduction and enlargement of maps and laying out specified areas on the ground.
- (b) Buildings. Materials used in and construction of rest-houses and subordinates' quarters in the Bengal Circle. Preparation of estimates for the same.
- (c) Roads and bridges. Alignment with ghat tracer and Abney's level. Laying out and construction of cart roads, bridle and foot paths. Construction of simple forest bridges.



## III. MENSURATION AND ARITHMETIC—

Calculation of areas and volumes to the extent required by a Forest subordinate.

## IV. BOTANY—

Elementary botany. Parts of a plant, methods of growth, reproduction and germination. The collection, mounting, and preservation of specimens.

## V. ACCOUNTS—

Instruction in range accounts and the up-keep of control forms.

## VI. LAW—

The Forest Act and Rules under the Act.

10. The following marks will be allotted for work during the course. The marks for practical work and conduct will be allotted by the Director.

				Marks.
* Forestry	{	Sylviculture ...	...	250
		Protection ...	...	150
		Utilization ...	...	100
† Engineering	{	Survey ...	...	200
		Roads and bridges ...	...	100
		Buildings ...	...	100
		Maps and drawings ...	...	100
		Mensuration and arithmetic ...	...	75
‡ Miscellaneous	{	Botany ...	...	100
		Accounts ...	...	100
		Law ...	...	75
Practical work throughout the course and conduct judged from the standard of suitability as a Forest subordinate.				150

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1,500

*Note.* \* One-third for Intermediate Examinations.  
 Two-thirds for Final ditto.  
 † Two-thirds for Intermediate ditto.  
 One-third for Final ditto.  
 ‡ One-third for Intermediate ditto.  
 Two-thirds for Final ditto.

11. Students obtaining not less than 55 per cent. of the marks for forestry, engineering and practical work and conduct, and 50 per cent. of the marks in other subjects, shall be entitled to receive a pass certificate. Certificates of having passed with credit will be given to students who in addition to the above obtain 75 per cent. of the total marks including 80 per cent. of the marks in forestry and engineering. Government students who pass with credit shall receive a step in promotion on the occurrence of the next vacancy after they return to ordinary duty, provided that their work and conduct after leaving the School have been satisfactory.

*IV. Disciplinary Rules.*

12. Except with the special permission of the Director all students, including those deputed from Native States and Zamindaris, shall live in the quarters provided while at Kurseong. Wives and families cannot be accommodated. The Director shall have the powers of a Divisional Forest Officer over all students, and in addition shall be empowered to suspend any student for gross misconduct or proved inability to profit by the course of instruction. Every such suspension shall be reported to the Conservator of Forests, Bengal, without delay, who will order the removal of the student from the School should he consider it desirable to do so.

Government students must wear the uniform of their grade while at the School. Other students shall wear such uniforms as may be prescribed by the Director.

*Instructions for regulating the admission of Members of the Subordinate**Forest Service in Bengal as Students at the Kurseong Forest School.*

A.—Vacancies in the class of Deputy Rangers and lower classes caused by deputations to the School may be filled either by *sub. pro tem.* promotions, or by temporary appointments of qualified outsiders. All such *sub. pro tem.* promotions and temporary appointments will be made by the Conservator at his discretion, subject to the following conditions:—

- (1) The maximum cost of replacement shall not exceed Rs. 200 per mensem for the men deputed in each year.
- (2) Temporary appointments or promotions shall not be made to a higher post than that of the officer deputed. (Thus a temporary Deputy Ranger, second grade, may not be appointed in place of a Deputy Ranger, third grade, or Forester at the School.)
- (3) One temporary appointment or set of promotions only shall be given for each officer deputed. (Thus two Foresters or Guards may not be temporarily appointed for one Deputy Ranger at the School.)

B.—Should the Conservator decide to depute a lesser number of Forest subordinates as students in any one year than is prescribed in the rules for admission to the school, the maximum cost of replacements in the Circle will be reduced by Rs. 25 for each student below the number fixed.

**Official Relations Between Forest and District Officers.****4. RULES TO REGULATE THE OFFICIAL RELATIONS BETWEEN FOREST AND DISTRICT OFFICERS.**

The Divisional Forest Officer shall be regarded as the Assistant to the District Officer in respect of all forest matters pertaining to his Division, retaining at the same time his subordination to the Conservator of Forests; all operations in the Protected and Reserved forests shall be placed under his (the Divisional Forest Officer's) control; and all correspondence on general and administrative subjects connected with forest management between him and the Conservator

Bengal Government Letter  
No. 20For., dated 21st Sep-  
tember 1891.

shall pass through the District Officer, who shall have power to direct him to suspend action on any orders that may be passed thereon by the Conservator. When the District Officer directs such suspension, he shall report the fact of his having done so to the Conservator and to the Commissioner, giving his reasons for the course taken by him.

2. For the purpose of Rule 1, the officer in charge of the Sundarbans Forest Division will be the Assistant in all forest matters to the Collector of Khulna, who should consult the Collectors of Backergunge and the 24 Parganas in any matter which may, in the circumstances of a particular case, concern them.

3. All orders shall be conveyed from, and reference made to, the Conservator of Forests on the following principles:—

(a) All correspondence on the subjects mentioned in the annexed schedule shall be carried on direct between the Conservator and the Divisional Forest Officer and *vice versa*.

(b) All correspondence on subjects not mentioned in the annexed schedule shall pass under flying docket, addressed from the Conservator, through the District Officer, to the Divisional Forest Officer, and *vice versa*.

4. Ordinarily the District Officer, in the case of correspondence not included in the schedule, shall, after perusal, simply record his signature under the word "forwarded" on the flying docket. He may, however, when he deems it necessary, record his remarks on any communication addressed to the Conservator by his departmental subordinates; and he may return to the Conservator for reconsideration any instructions addressed by the latter to the Forest Divisional Officer, recording the grounds on which he solicits such reconsideration.

5. In the event of the District Officer and the Conservator differing on any matter in connection with correspondence passing through the office of the former, should the difference not be removed by mutual references, the point, with the correspondence out of which it arose, should be submitted to the Commissioner, who shall endeavour to settle it with the Conservator, and, if unable to do so, lay it before Government for orders, informing the Conservator.

6. The Conservator shall be the controlling authority in all matters of patronage in the subordinate branches of the Forest Service and in all matters of departmental discipline.

7. The annual plans of operations, prescribed in section 84 of the Forest Department Code, shall be submitted for Conservator's sanction on the 1st September in each year, through the District Officer, who will record thereon his approval or disapproval (stating his reasons) of the contemplated operations. In the event of a difference of opinion between the District Officer and the Conservator in respect of any proposal contained in the plan, the matter must either be dropped or referred to the Commissioner, and dealt with as laid down in Rule 5. After final approval of the annual plan of operations, no deviation therefrom, and nothing omitted from that plan at the time of final approval, shall be permitted without the consent of all parties who agreed to its provisions in the first instance. The responsibility for carrying out the provisions of annual plans of operations will rest entirely with the Divisional Forest Officer.

8. The arrangements regarding the provision of funds, power of sanction, and the rendering of accounts shall be these in force, or as modified from time to time, under the orders of Government.

9. The responsibility of the Conservator shall remain unimpaired. He shall be kept regularly informed of all orders issued on forest matters by District Officers, Commissioners, and Government; he shall be made acquainted with all business which passes between District Officers and Divisional Forest Officers; and he shall, as a rule, be consulted on all forest matters to be submitted to Government.

10. The District Officer shall see that the subordinate Revenue officers of all grades not only render the same assistance as heretofore in the management of Government waste lands, and specially in the assessment and collection of Government dues, but also that these officials render assistance in the management of all forests. All distinctions and practices which are likely to encourage the impression that forest work lies outside the ordinary duties of Land Revenue officials should be gradually eliminated. The District Officer shall also authorize the Divisional Forest Officer to address orders to the latter officials direct in matters in connection with which it may be convenient that he should, in ordinary cases, act without the intervention of the District Officer.

11. The Divisional Forest Officer shall, on the 1st and 16th of each month, draw up in his own hand a sufficiently full report or diary of all his movements and of all business transacted by him during the previous fortnight, and submit a copy of the same to the District Officer, who, after recording thereon any remarks he may think fit, shall forward it without delay to the Conservator.

12. (a) The offices of Divisional Forest Officers shall, so far as possible, be located in or in the immediate vicinity of the District Officer's office.

(b) Formal official correspondence between the District Officer and the Divisional Forest Officer concerning matters dealt with by these rules should be avoided as far as possible, written communications, when necessary, being carried on by the transmission of original files and cases, under the same rules as apply to the transaction of business between a District Officer and his Revenue Assistant.

(c) The District Officer may direct the Divisional Forest Officer to file in the District Record Office such of the Forest records as relate to forest settlements or revenue leases or other matters affecting the use of forests and waste lands by the surrounding population.

13. Proposals of importance for the formation of new forests, or affecting the use of forests and waste lands by the surrounding population, shall, after consulting the District Officer, be addressed by the Conservator to the Commissioner for submission to Government.

#### SCHEME.

*List of subjects in respect to which correspondence may be carried on direct between the Conservator and the Divisional Forest Officer.*

1. All subjects directly relating to the Divisional Forest Accounts and to the expenditure and revenue of the Forest Division.

2. All subjects of a purely technical nature, such as correspondence relating to the development of trees, to sowing and planting, to valuation surveys, to the collection of data required in the preparation of

working plans, to the manner of felling and thinning trees, cutting, converting and storing timber and firewood, etc., etc.

3. Miscellaneous subjects having no direct or indirect bearing on the welfare of the people, such as stationery, the purchase and keep of departmental cattle, stores, tools and plant, books and maps, etc., etc.

## 5. Delegation of Powers.

### A—To ALL DIVISIONAL FOREST OFFICERS.

1. *Contracts—Forest*.—See page 123 of Manual.

2. *Establishment—Permanent*.—To make acting or provisional appointment as Foresters or Clerks on Rs 20 per mensem under Articles 84 and 71 (i) of the Forest Department Code.\*

(2) To withhold increments of pay of ministerial and menial officers—Article 152, Civil Service Regulations.

(3) To grant *leaves* under Articles 69 and 71 (i), Forest Department Code, to Forest subordinates below the rank of Deputy Ranger and Clerks on Rs. 30 per mensem and less, provided no extra expenditure is incurred or the transfer of a subordinate from another division is not involved.\*

3. *Expenditure*.—To sanction under Article 158, Forest Department Code, payment of *ordinary* expenditure as defined in Article 134, Forest Department Code, provided that the budget allotments are in no case exceeded.\*

4. *Free Grants*.—To make free grants under Article 109 (ii), Forest Department Code, up to a limit of Rs. 50 in each case.\*

5. *Law Charges*.—To incur expenditure under Articles 157 and 247, Forest Department Code, up to a limit of Rs. 100 in payment of pleader's fees in each case in criminal prosecutions, subject to conditions prescribed in Bengal Government orders Nos. 359 J., dated the 17th January 1894, and 5796, dated the 30th December 1904.\*

6. *Leases*.—To give leases for collection of forest produce up to a value of Rs. 250 provided the working plan or plan of operations concerned permits of its disposal.\*

7. *Revenue*.—To write off irrecoverable revenue under Article 108 (iv), Forest Department Code, up to a limit of Rs. 10 in each case.\*

(2) To refund revenue under Article 168, Forest Department Code, up to a limit of Rs. 50 in each case.\*

8. *Stores*.—To purchase stores, tools and plant, under Article 160 (i) (a), Forest Department Code, up to a limit of Rs. 50 in each case.\*

(2) To write off stores under Article 113 (i), Forest Department Code, up to a limit of Rs. 50 in value in each case.\*

9. *Travelling Allowance*.—All Divisional Forest Officers of the rank of Assistant Conservator of Forest and above may countersign travelling allowance bills of members of the executive, protective, and office establishments serving under them.†

(2) To sanction travelling allowance under Article 1007, Civil Service Regulations, to inferior servants when transferred within their respective divisions.‡

\* Bengal Government Nos. 2945 and 8213, dated the 23rd November 1906 and 4th September 1907, respectively.

† Bengal Government No. 81, dated the 7th February 1901.

‡ Bengal Government No. 2704, dated the 1st November 1905.

**B—TO DEPUTY CONSERVATORS OF FORESTS DRAWING RS. 700 AND EXTRA DEPUTY CONSERVATORS OF FORESTS, 3RD GRADE.**

1. To dismiss, reduce, and accept the resignation of Clerks drawing Rs. 30 per mensem or less.\*
2. To accept resignations of officers of the Subordinate Forest Service—*Vide* Article 64, Forest Department Code.\*
3. To reduce or dismiss Foresters or other subordinates under Article 59, Forest Department Code.\*
4. To sanction under Article 160 (i) (b), Forest Department Code, items of *capital* expenditure (excluding live-stock, furniture and tents) up to a limit of Rs. 1,000 in each case.\*
5. To make free grants up to a limit of Rs. 250 in each case.\*
6. To give loans for collection of forest produce up to a value of Rs. 2,000.\*
7. To *write off* irrecoverable revenue up to Rs. 25 in each case.\*
8. To *refund* revenue up to a limit of Rs. 200 on each case.\*
9. To *purchase* stores, etc., up to a value of Rs. 250 on each item.\*
10. To *write off* stores up to a value of Rs. 250 in each case.\*
11. To destroy useless *records* under conditions laid down in Article 251, Forest Department Code.\*

\* Bengal Government Nos. 2951 and 3213, dated the 23rd November 1906 and 4th September 1907, respectively.

**C—TO THE CONSERVATOR OF FORESTS.**

*Note.*—The Conservator of Forests is empowered to exercise all or any of the powers conferred on his subordinate officers in the foregoing schedules, and in addition is empowered:—

1. *Appointments.*—To appoint one officer to hold substantively as a temporary measure, or to officiate in two or more independent appointments at one time, and to regulate the allowances within prescribed limits—*vide* Article 168, Civil Service Regulations.(a)
2. *Budget.*—To reappropriate funds from one budget head to another under "A.—Conservancy and Works," subject to the prescribed limitations.(b)
3. *Charge Allowance.*—Under Article 95, Civil Service Regulations, may assign to an officer placed in charge of the current duties of an office a charge allowance less than the amount admissible, and, on the other hand, if he thinks the amount too small, may grant him for specially recorded reasons the full acting allowance, subject to the limitation specified therein.(c)
4. *Contingencies.*—To purchase articles of European manufacture [except those which should be indented for from the Stationery Office as required by article 98 (f) and (g) of the Civil Account Code] the cost of each of which should not exceed Rs. 250.(d)
5. *Contracts.*—See page 123 of Manual.
6. *Establishment—Permanent.*—To appoint Rangers, Deputy Rangers, and Foresters under Articles 34 and 71 (i), Forest Department Code.(e)

(a) Bengal Government Circular No. 3 T.—F., dated the 26th April 1910.

(b) Bengal Government No. 346 T.—R., dated the 3rd April 1907.

(c) Bengal Government Circular No. 2 T.—F., dated the 29th April 1910.

(d) Bengal Government No. 16 T.—G., dated the 4th November 1909.

(e) Bengal Government No. 2574, dated the 6th August 1907.

(2) To promote Rangers, Deputy Rangers, &c., from grade to grade (a)

(3) To accept the resignation of Rangers, Deputy Rangers, &c., under Article 64, Forest Department Code. (b)

(4) To distribute the total amounts sanctioned for the pay of the subordinate service and office establishments, and to transfer appointments in the clerical line between divisions other than the Direction Division—Article 8, Forest Department Code. (c)

(5) To condono overstay of leave and interruptions of duty as defined in Articles 230, 253, and 254, Civil Service Regulations. (d)

(6) To grant extensions of service to non-gazetted officers on attaining the age of 55 and up to 60 years of age, for one year at a time, and to compel such officers to retire between the aforesaid ages.

*Note.*—Such applications should be submitted six months before such extension is desired (e)

7. *Leave, etc.*—To grant leave to members of the subordinate and clerical forest establishments (Article 69, Forest Department Code), as well as to appoint, promote, and transfer such officers [Article 71 (i), Forest Department Code].

8. *Claims to Arrears of Pay, etc.*—To investigate claims to arrears of pay or allowances or increments which have been allowed to remain in abeyance for a period exceeding two years (f)

9. *Suspension.*—To sanction expenditure under Article 193 (b), Civil Service Regulations, in cases where the extra cost involved does not exceed Rs. 250, and the period under which an officer has remained unemployed through suspension or dismissal does not exceed six months (g)

10. *Establishment—Temporary.*—To sanction temporary establishments as required from time to time within the limit of the annual budget allotment. (h)

11. *Local Allowances.*—To grant the local allowance attached to an office to an officer placed in charge of the current duties of that office (Article 66, Civil Service Regulations). (i)

12. *Pension.*—To sanction a pension to a non-gazetted officer which is certified by the Accountant-General, Bengal, to be clearly admissible under the rules. (j)

*Note.*—The medical certificate of incapacity should be signed by the Medical Officer in charge of a civil station (Article 938, Civil Service Regulations). (k)

(2) Under Article 950, Civil Service Regulations, to transfer pensions from one Indian treasury to another subject to report to the Accounts Department; (2) power to sanction payment of arrears of pension due to deceased pensioners to their relatives; and (3) power to sanction arrears of pension under Articles 957 and 959, Civil Service Regulations. (l)

13. *Condonations.*—To condono breaks in service and deficiencies, viz. in the case of breaks up to two months under Article 422 (I), and

(a) Bengal Government Nos. 1462 and 2361, dated the 6th April 1897 and 18th July 1899, respectively.

(b) Bengal Government No. 412, dated the 2nd January 1907.

(c) Bengal Government No. 316T.—II., dated the 3rd April 1907.

(d) Bengal Government Circular No. 65T., dated the 26th November 1904.

(e) Bengal Government Circular No. 10A., dated the 10th August 1890, and Bengal Government No. 1A., dated the 14th February 1895.

(f) Bengal Government Circular No. 31T.—F., dated the 11th September 1910.

(g) Bengal Government No. 2870, dated the 16th July 1903.

(h) Bengal Government No. 1062T.—II., dated the 21st July 1900.

(i) Bengal Government Circular No. 3T.—F., dated the 26th April 1910.

(j) Bengal Government Circular No. 4T.—F., dated the 5th Mar 1909.

(k) Bengal Government Circular No. 23T., dated the 15th August 1908.

(l) Bengal Government Nos. 549 T.—F., and 2359 F., dated the 24th April 1905 and 16th April 1908, respectively.

in that of deficiencies up to six months under 422 (11), Civil Service Regulations. (a)

14. *Remissions.*—In all cases in which leave allowances have been irregularly drawn by applicants for pension it is left to the Accounts Officer to refer the question of the recovery of overpayments to the Conservator (Article 841, Civil Account Code). If both officers agree that recovery should be made, the decision will be given effect to by the Account Officer; if the Conservator, however, does not agree, he is empowered to remit the demand without restriction up to a limit of three months' pay. But if he is of opinion that a remission should be allowed in excess of three months' pay, the matter should be referred to the Local Government for orders. (b)

15. *Travelling allowance.*—To grant travelling allowance to non-gazetted subordinates substantive or temporary, for the journey to join a first appointment in the public service, the rates admissible being that of the class (Articles 1002 Civil Service Regulation), to which the appointment which the officers proceeds to join belongs (article 1083, Civil Service Regulations). (c)

(2) To sanction travelling allowance to inferior servants on transfer beyond the division in which they are employed (Article 1107, Civil Service Regulations). (d)

16. *Camp Equipment.*—To sanction the following under Article 1000, Civil Service Regulations:—

(a) 20 maunds and the carriage of 2 horses or a bicycle (e) to all Divisional Forest Officers in charge of divisions;

(b) 10 maunds and 1 horse to all attached officers; and

(c) in his own case 20 maunds and 2 horses. (f)

17. *Dual Offices.*—To grant the travelling allowance attached to an officer placed in charge of the current duties of that office (Article 1010, Civil Service Regulations). (c)

18. *Tour.*—Under Article 1066, Civil Service Regulations, in exceptional cases, and for special and valid reasons, to exempt officers subordinate to him only from the operation of the rule up to a limit of 30 days, subject to the following conditions—

(a) that prolonged halts are necessary in the interests of the public service; and

(b) that such halts necessitate the maintenance of camp equipage or, where no camp equipage is maintained, entail extra expense on the officer after the first 10 days. (g)

*Note.*—Does not extend to halts in hill portions of the district of Darjeeling, in which cases exemption from the rule requires the sanction of the Local Government—*vide* Government of Bengal Circular No. 21 F., dated the 14th July 1910.

(2) To allow an officer compelled under certain emergencies to leave his camp and proceed rapidly on duty to a place more than 20 miles distant to draw the actual expenses of maintaining such camp, not exceeding the daily allowance, in addition to the allowances admissible under Chapter LII, Civil Service Regulations, whether the camp be moved or not—Article 1001, Civil Service Regulations.

(a) Bengal Government Circular No. 45 F., dated the 22nd September 1903.

(b) Bengal Government Circular No. 8 F., dated the 24th February 1910.

(c) Bengal Government Circular, No. 5 F.—P., dated the 30th April 1910.

(d) Bengal Government Nos. 62 T.—J., and 30 T.—P., dated the 22nd May 1891 and 30th April 1891 respectively.

(e) Bengal Government No. 2332 F., dated the 10th August 1910.

(f) Bengal Government No. 1520 T.—R., dated the 25th June 1904.

(g) Bengal Government No. 17 T.—F., dated the 8th October 1902.



19. Write-off of irrecoverable value of stores or public money up to a limit of Rs. 500 in each case, subject to the conditions—

- (1) that the loss does not disclose a defect of system, the amendment of which requires the orders of Government; and
- (2) that there has not been any serious negligence on the part of some individual officer or officers which might possibly call for disciplinary action.\*

#### Submission of Diaries.

6. Diaries should be forwarded to the District Officer in an open ready addressed and stamped and franked envelope to the Conservator by name, placed within another cover addressed to the District Officer to ensure their early transmission. During the camping season the cover should be addressed care of Divisional Officer of the division in which the Conservator may be touring at the time.

Conservator's Circular  
No. 326, dated 12th February 1900.

#### Confidential Reports.

7. Confidential reports on officers transferred to Bengal from other Provinces prior to their transfer should always be obtained.

Bengal Government letter  
No. 354 F., dated 3rd October 1892.

#### Character Rolls.

8. The character rolls of Imperial and Provincial officers of less than 15 years' service should be prepared in Form I, Appendix X. A separate sheet should be devoted to each officer, and the sheets should be placed together in a paste-board character book labelled with the officer's name and kept confidentially. Remarks on (1) administrative capacity, (2) technical skill, (3) physical capacity, (4) moral character should be recorded once a year on 25th June 1910. The rolls of officers in independent charge of Forest Divisions should be filled by the Conservator, and these officers in turn should fill in the rolls of their gazetted subordinates. No officer should have a "black mark" set against his name without being informed of it, in order that he may have an opportunity of explanation and reform. For this purpose "black marks" or unfavourable opinions may be divided into three classes, viz.—

Bengal Government letter  
No. 1659 F.—R., dated 20th September 1910.

- (1) Remarks of so damaging a character as to indicate a course of official conduct which, if persisted in, must entail orders injurious to the officer affected.
- (2) Remarks indicating faults in an officer's official character which may be remedied.
- (3) Remarks upon faults in the character of an officer which would not affect his claims to ordinary promotion or higher emoluments, and which are not likely to be corrected by him.

In communicating the substance of the remarks through the proper channel officers who come under class (1) should be given a warning to the effect that serious notice will be taken of their conduct unless

\* Bengal Government Circular No. 35 F., dated 20th July 1910.

they show improvement, and those who come under class (2) should be told that it is hoped that the next year's report will show that they have remedied the faults pointed out. It is not, however, intended that reasons for the opinions recorded should be stated, or that there should be any long and disagreeable correspondence in this matter between the officer concerned and his superiors. An officer subordinate to the Conservator is not entitled to demand reasons, and if any officer desires to know reasons he should be informed that any explanation he may have to offer will be submitted to Government with the Conservator's remarks. Whenever therefore reasons arise for the grant of promotion, or of a personal allowance, or for the stoppage of an increment, the character roll of the officer concerned should be submitted to Government in original in a confidential cover.

With officers of the Indian Forest Service of 15 years' standing and upwards this Government should be furnished not later than the 1st of June in each year with a report in Form II, Appendix X, based upon the original character rolls maintained in the Conservator's office.

### 9. Departmental Examination.\*

NOTE 1.—For rules for the examination of Civil Officers in the Lower Provinces of Bengal in the Vernacular and Rules regulating the Examination of Forest Officers in Bengal—see Appendix VI, page 58, of Appendices to Forest Department Code.

NOTE 2.—Divisional Officers should on the 1st of March and September in each year intimate to the Conservator the names of the officers subordinate to them who desire to appear at the ensuing Departmental Examination—see entry No. 8 of the Calendar of Returns.

Conservator's Circular  
No. 17, dated the 15th April  
1903.

#### *Examination in Optional Languages.*

The following are the rules sanctioned under article 77 (iii), of the Forest Department Code for the grant of rewards to officers of the Forest Department of the rank of Extra Assistant Conservator and upwards, serving in the Provinces under the Lieutenant-Governor of Bengal, for passing, with the permission of the Local Government previously obtained under article 76 of the Code, examinations in optional languages, as defined in the last-named article.

Bengal Government Notification No. 253 A., dated 18th January 1904.

1. For the purposes of these rules, optional languages include—

- (a) The languages of frontier tribes, a list of which is given in the margin of paragraph overleaf.
- (b) Uriya.

2. The examination in languages of frontier tribes will be conducted in accordance with the rules for the encouragement of the study of frontier languages noted above. Subject to the limitations laid down a reward of Rs. 1,000 will be granted to any officer to whom the present rules apply who passes in any such language according to the tests prescribed.

3. The examination in Uriya will be conducted in accordance with the Rules for the Examination of Civil Officers. Subject to the limitation laid down in those rules the rewards specified below will

\* See also Notification No. 2017 A.—D., dated the 27th October 1909.

be granted to any officer to whom the present rules apply who passes in that language according to the tests prescribed :—

- (i) Rupees 250 for passing by the Lower Standard of Departmental Examination.
- (ii) Rupees 500 for passing by the Higher Standard of Departmental Examination, provided that if the prescribed reward of Rs. 250 has already been drawn by an officer under clause (i) of this rule, an additional sum of Rs. 250 only shall be payable when the Higher Standard is passed by the same officer.

#### RULES FOR THE ENCOURAGEMENT OF THE STUDY OF THE LANGUAGES OF FRONTIER TRIBES.

The following are the rules sanctioned for granting rewards to Civil Officers in Bengal for proficiency in the languages of frontier tribes.

A reward of Rs. 1,000 will be granted for passing by the prescribed standard an examination in any one language, in any of the groups of languages noted in the margin, provided that the language is spoken within the district where the officer is at the time employed, or by tribes contiguous to it with whom he has official relations. A second reward will in no case be given to an officer for proficiency in a second language of the same group. The grant of a reward is in every case subject to the condition that it will not be allowed to a native candidate for passing an examination in any language with which, from his birth or education, he is naturally familiar, or which is closely allied to his vernacular language.

The examination shall be conducted by a local committee to be specially appointed by Government on each occasion.

The tests which a candidate for the above reward must undergo are as follow:—

- (a) He must be able to converse freely with the people of the tribe in whose vernacular he may wish to qualify to understand and to make himself understood by them.
- (b) He must write down in the English, or the Bengali, or Hindi character sentences spoken in the tribal language by one of the tribe, or a conversation held between two of them, and must explain it correctly in English.
- (c) He must without assistance translate from English or his mother tongue into the tribal language (writing it in either the English, or Bengali, or Hindi character) sentences not of a more difficult nature than those described in clause (b). The translation must be substantially correct and intelligible when read to a native in whose language it might be written.

#### Transfer of Divisional Officers.

10. Divisional Officers who wish to rail a horse or bicycle should apply for sanction to the Conservator *before* incurring expenditure on this account.

The charges so incurred should be drawn up separately from the ordinary travelling allowance bill for the month in question, and supported by a voucher or certificate from the station master, and submitted with the monthly account.

The number and date of Conservator's sanction should be noted on the bill.

#### Recess.

11. Gazetted Forest Officers solely employed on the preparation of a working plan for a district or locality where out door work is impracticable during the whole or part of the rainy season are allowed to spend up to two and a half months between the 15th June and 15th October in Darjeeling, provided that—

Bengal Government letter No. 1498 T.—R., dated 10th July 1903.

- (i) No travelling allowance is drawn by these officers for their journeys to and from Darjeeling.
- (ii) No travelling allowance is drawn by them for the period of their stay in Darjeeling.
- (iii) Any clerical help which may be required by them shall be furnished by the office of the Conservator of Forests, Bengal, without any extra cost to Government.

#### Foreign Service.

12. An officer transferred to foreign service out of India and permitted by competent authority to retain his claim to pension or absence allowances must immediately, on receiving the order of transfer, furnish a copy thereof to the Comptroller, India Treasuries, Calcutta, together with his postal address out of India—Articles 771 and 773, Civil Service Regulations.

2. The Comptroller, India Treasuries, on receipt of a copy of the order sanctioning the transfer, will call for certain particulars of transfer (which should be promptly furnished to him), and will communicate to the officer the rate of contribution for pension and leave allowances payable by him.

3. The officer must, not later than 15 days after the end of the quarter for which salary in foreign service is earned, remit direct to the Comptroller, India Treasuries, the amount payable by him on account of contribution in respect of his salary for the quarter, the remittance to be advised in such form as the Comptroller, India Treasuries, may require—Article 775, Civil Service Regulations.

4. If the officer fails to make the remittance within the said period of 15 days, or if the amount remitted is less than that properly payable, interest at the rate of 4 pies a day per Rs. 100 will be levied upon the amount due from the date of expiry of the 15 days until the date of receipt of the remittance by the Comptroller, India Treasuries—Article 776, Civil Service Regulations.

5. The officer transferred shall receive only the remuneration agreed upon or sanctioned by the Local Government or the Government of India as the case may be. He may not claim or receive any pay or allowance (with the exception of travelling allowances) from his foreign employer in excess of the sanctioned rates without the

permission of the Local Government or the Government of India, as the case may be—Article 753 (iv), Civil Service Regulations.

6. The Government cannot recognize any leave granted, otherwise than in accordance with the Civil Service Regulations, to an officer on foreign service out of India who is permitted to contribute for leave or pension or for pension only. If such leave is granted to an officer, the Comptroller, India Treasuries, shall, on the fact coming to his notice, require the leave so granted to be commuted to the leave for which the officer is eligible under rule, and call upon him to refund any allowance drawn by him in excess of the amount admissible. If the officer fails to comply with these conditions, he will be liable to forfeit his previous service under Government, and to cease to have any claim on Government in respect of either pension or leave allowances—Note to Article 782, Civil Service Regulations.

7. Privilege leave may be granted by the Foreign employer if reported by the Comptroller, India Treasuries, to be admissible under rule. A report should always be obtained by the applicant for such leave—Article 789, Civil Service Regulations.

8. Applications for any other description of leave should be made through the Foreign employer to the Local Government under which the officer was serving before transfer to foreign service out of India. The Comptroller's report will in this case be obtained by the Local Government—Article 790, Civil Service Regulations.

NOTE.—Rules 6, 7, and 8 do not apply to officers lent to the Egyptian Government (Article 757 C. S. R.)

### Taking of Employment while on Leave.

13. A gazetted officer who is in receipt of furlough or leave allowances may not, without the special orders of the Government of India, take service under another employer in this country, and no such officer whose services have been lent to any other employer in India can take leave or obtain leave allowances from Government or from the employer to whom his services have been lent unless he actually quits his employment for the period of such leave. In the case, however, of a non-gazetted officer the special permission of his departmental superior may be accepted as sufficient authority.

The above orders referred to the acceptance of employment of a private or casual nature, and do not apply to the acceptance by officers while on leave of employment of the kind for which the Foreign Service Rules in Part VII of the Civil Service Regulations provide. An officer who, during leave, takes up an appointment which is such as should for public reasons and not merely in his own interests be filled by a servant of Government, must be transferred thereto in the regular way by the authority empowered to authorize his transfer under the rules regulating transfers to foreign service. From the date on which he takes up the appointment he ceases to be on leave, and is no longer entitled to draw leave allowances from Government, and becomes an officer in active service drawing from his employer pay fixed in accordance with rule.

Government of India  
Resolution No. 2993 P.,  
dated the 16th May 1907.

## Special to Subordinates.

### Confirmation of Subordinates.

14. No subordinate officer, whether on probation or officiating may be allowed to remain unconfirmed in the Forest Department after having completed a term of two years' service in any capacity. Divisional Officers will report on any probationer serving in their Division as soon as his service reaches six months as to whether (1) his services should be retained, (2) he should be allowed an extension of probationary service, or (3) his services should be dispensed with.

Conservator's Circular  
No. 126, dated 19th July  
1901.

### Age and Health Certificate.

15. The certificate of age and health required by articles 60 and 61 of the Civil Service Regulations should invariably be obtained and approved in the case of the probationary or temporary appointment of any subordinate who may eventually be confirmed; it is not desirable to wait until it is proposed to confirm him.

Conservator's Circular  
No. 47, dated 18th May  
1900.

### Limit of Tenure of Appointment.

16. No ministerial officer holding a responsible position and dealing with accounts and money is to be allowed to hold his appointment uninterruptedly for an indefinite time. After holding it for seven years he must either be transferred to another appointment, either in the same or another office or department, or be required to go on leave for a period of at least three months.

Bengal Government Circular  
No. 10 F., dated 20th  
August 1899.

### Transfer of Subordinates.

17. Transfer of officials from the permanent to a temporary establishment either in the public interest or in order to give promotion to deserving individuals should not be made.

India Government Circular  
No. 8 F., dated 17th  
May 1900.

2. It is the duty of a Government officer who wishes to transfer his services to a different Government office or department to obtain the consent of the authority which appoints to his existing post before taking up the new employment. If he takes up the new employment without such consent, he commits a breach of discipline and is liable to be punished, in the last resource, by dismissal from his former post and subsequent loss of pensionable service. Resignation of his former appointment will not, it should be noted, protect him from this penalty.

Bengal Government Circular  
No. 20 F., dated 21st  
July 1910.

(2) In granting or withholding consent to the acceptance by a subordinate of other Government employment, the head of an office or department must consider whether the transfer will be consistent with the interests of the public service. Permission should not be refused, however, without strong reasons, which should be recorded in writing.

(3) The head of an office or department shall not employ, either temporarily or permanently, an officer whom he knows or has reason

to believe to belong to another establishment without the previous consent of the head of the office or department in which he is employed. In the rare cases in which, for reasons which are satisfactory to the new employer, an officer cannot obtain the *required consent before taking up the new appointment*, the employment may be made conditional on consent being obtained at the earliest opportunity.

(4) The foregoing instructions apply equally to officers on leave, whether with or without allowances. All leave allowances must *ipso facto* cease on the taking up of new employment, other than work of a purely casual nature. (See "f" under 37 Applications for Leave.)

### Supersession of Subordinates.

18. When any clerk or officer of the Subordinate Forest Service ordinarily promoted by the Conservator of Forests is permanently superseded by any other officer, he will be duly informed of such supersession. Any appeal which he may wish to make on account of the supersession must be made within three months of his receiving this information. If an appeal is made after this period has elapsed, it will not be considered.

Conservator's Circular  
No. 183, dated 4th September 1903.

### Applications for Promotion.

19. No applications for promotion submitted by subordinates may be forwarded by Divisional Officers to Conservator. Any recommendations Divisional Officers may have to make as regards promotion should be made when submitting the prescribed reports on the character and qualifications of the officials concerned.

Conservator's Circular  
No. 86 D., dated 16th July 1894.

### Reduction of Establishment.

20. In the case of reduction of any establishment no Government servant should be discharged until the reduction has been finally determined on and has been actually ordered by Government. The fact that prospective changes are under consideration and likely to be adopted which will involve a reduction of establishment should not be used to justify the removal of an officer from his appointment.

Government of India  
No. 6-Public, dated 12th April 1905.

### Certificates to Dismissed Subordinates.

21. An officer having incurred the grave displeasure of the Governor-General in Council for omitting to state all the grounds for dismissal in a certificate granted by him to a dismissed subordinate, attention is specially drawn to the responsibilities of all officers in this particular, and to the necessity of stating the whole of the facts in respect of character and conduct in all certificates which may be granted by them to their subordinates.

Board's Rules, page 22.

## Scale of Temporary Establishments.

22. Conservator has power to sanction such temporary establishment as will be required from time to time in the Circle within the limit of the annual budget allotment on this account provided that no appointment other than those mentioned below or on pay exceeding the maximum rate specified for each class of establishment shall be created without the sanction of Government.

Sub-head.	Designations of Officers on temporary establishment.	
A. I. a.	(1) Overseer.	To include men on pay of more than Rs. 13 to Rs. 40, employed to carry out duties such as if done by the permanent staff are ordinarily performed by Foresters or men of higher rank.
	(2) Watcher.	To include men on pay of Rs. 12 or less, employed as depôt chaukidars or on duties connected with departmental works such as are ordinarily performed by Forest Guards.
A. I. c.	(1) Overseers.	Pay up to ... Rs. 25 { Performing similar duties to Overseers and Watchers charged to A. I. a.
	(2) Watchers.	Pay up to ... 8 {
A. II.	(1) Revenue Station Officer.	Pay Rs. 13 to Rs. 30, except in the Sundarbans where there is a special graded staff.
	(2) Checking Officers.	Pay Rs. 13 to Rs. 30 for checking timber extracted from forests by purchasers.
	(3) Overseers ...	Pay Rs. 13 to Rs. 40, employed on marking and controlling fellings by purchasers. For work which if performed by a member of the permanent staff would ordinarily be performed by a Forester or man of higher rank.
	(4) Watchers ...	Pay up to Rs. 12, for work in connection with exploitations of a kind which Forest Guards are ordinarily competent to perform.
A. II.	(5) Orderlies ...	Pay up to Rs. 8. Men employed for attendance on Gazetted Officers, Range Officers, etc.
—contd.		



Sub-head.

Designations of Officers on temporary establishment.

- Rs.
- (6) Muharrirs. Pay up to ... 25 For clerical work in Civil Offices which is paid for by the Forest Department, for instance in Puri and Sambalpur.

*Employed in Sundarbans only.*

- (7) For steamers—

			Rs.	
Engineers.	Maximum pay	65		
Serangs.	Do.	40		
Driver.	Do.	35		
Secani.	Do.	20		
Tindal.	Do.	20		
Stoker.	Do.	17		
Lascar.	Do.	10		
Tepaz.	Do.	10		
Sweeper.	Do.	10		

In addition to a provision allowance of annas 2 a day in each case.

- (8) For boats—

Manjis	...	...	10	
Boatmen	...	...	8	

In addition to a provision allowance of Rs. 2 a month when employed on patrol work (or in coupes).

- (9) For labour on shore, assisting on marking, line clearing, etc.—

Coolies.	Maximum pay	10	Rs.
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(10) For building and repairing boats—

			Rs.	
	Carpenters	...	30	
* A.VI(b)	Mahouts.	Maximum pay	16	
	Grass-cutters	Do.	10	
A. VII. b.	Chaukidars.	Maximum pay	10	

For the care of bungalows. Includes Sweeper, Chaukidars and Mali Chaukidars.

			Rs.	
A. VIII. c.	Surveyors.	Maximum pay	30	
A. VIII. d.	Enumerators.	Do.	40	
A. VIII. e.	Malis.	Do.	8	
A. VIII. f.	Fire watchers.	Do.	6	
A. VIII. g.	Shikaries.	Do.	8	
B. I. c. (1)	Overseers.	Pay Rs. 13 to Rs. 25		

Men employed for works ordinarily performed by Foresters.

Sub-head.

Designations of Officers on temporary establishment.

- (2) Watchers. Pay up to Rs. 12 Men employed for works ordinarily performed by Forest Guards.
- (2) Copyist Rs. 15 to Rs. 30
- B. III. b. (1) Khalasis. Maximum pay Rs. 10 For charge of tents, etc.
- (2) Dāk runners Do. „ 9
- B. III. f. (1) Daftaris. Maximum pay Rs. 12 For miscellaneous office duties; their employment is viewed with disfavour.
- (2) Chaukidars Do. ... 6 Should include men employed to look after offices
- (3) Sweeper Do. ... 5 Other than Sweepers who are Chaukidars in charge of bungalows.
- (4) Punkha coolies Do. ... 6 Includes tatti coolies.

2. The Conservator is also empowered to vary details (namely, the rates of pay of particular posts, the number of hands employed and the period of employment) of any temporary establishments whether employed for full periods of one year or longer or shorter periods provided the following conditions are observed:—

Government of Bengal  
Circular No. 80 T.-I.,  
dated the 30th September  
1910.

- (a) The cost of the temporary establishment shall not be raised beyond the total amount sanctioned for the establishment.
- (b) Where the authority which sanctioned the employment of the temporary establishment is the Local Government, the pay of no post shall be raised above such a maximum as the Local Government may by general or special order fix for the purpose.
- (c) In other cases, the pay of no post shall be raised above the limit of sanction enjoyed by the authority which sanctioned the employment of the temporary establishment.

### Revenue Station Officers in Sundarbans Division.

23. This is a non-pensionable establishment, and the officers appointed to it will be required to contribute to a Provident Fund at the rate of  $12\frac{1}{2}$  per cent. of their pay. The amount to the credit of each officer in the fund will be regarded as a security deposit, which will not, however, necessarily be sequestrated when a man's services are dispensed with. The contribution of Government to the Provident Fund will not exceed compound interest at the rate of 4 per cent. The accounts of this special Provident Fund will be kept by the Accountant-General.

Bengal Government letter  
No. 2433 T.-R., dated the  
10th October 1907.

## 24. Uniform Rules.

## RULES FOR THE WEARING OF UNIFORMS BY SUBORDINATE FOREST OFFICERS.

*Approved in Government order No. 1737 T.—R., dated 30th September 1910.*

1. All native subordinates in the Bengal Forest Service are required to wear a uniform when on duty according to their rank.
2. The uniforms worn shall consist of the following:—

(a) *For Rangers.*

*Cap.*—Round, khaki coloured cap, with the letter "R" in centre worked in green silk thread with a leaf worked on either side.

*Tunic.*—Of khaki drill (khaki serge in winter if preferred), with silver thread round the collar and cuffs, and flat, silver-plated buttons with "F. R."

*Riding breeches or knicker-bockers.*—Of khaki drill. Plain belt with small, silver-plated clasps. Putties or brown leather gaiters should be worn.

(b) *Deputy Rangers.*

*Cap.*—Round, black cap with letters "D. R." in white metal.

*Tunic.*—Khaki drill or khaki serge, with red worsted thread round collar and cuffs, with flat brass buttons with letters "D. R."

*Knicker-bockers.*—Of khaki drill with putties. Belt—leather with brass clasps.

(c) *Foresters.*

Same as above, but with the letter "F" instead of "D. R."

(d) *Revenue Station Officers.*

Plain khaki drill suit and trousers, and plain leather belt.

**NOTE.**—A sun helmet of the pigsticker type covered with green shikar cloth may be worn as a protection against the sun by such of the above establishment as are willing to provide it at their own expense.

(e) *Forest Guards.*

In the plains—khaki cloth pagries with green fringe at either end.

*Tunic.*—Khaki drill with green worsted thread round collar and cuffs, and letters "F. G." in white metal on the collar. Plain flat white metal buttons.

*Knicker-bockers or shorts.*—Of khaki drill, or khaki-coloured dhoti and khaki-coloured putties.

*Belt.*—Of brown leather with Forest Department and name of Division on the badge.

In the hills—khaki serge cap (shape similar to that worn by the Darjeeling Police) with a large green knob on top. In summer a khaki drill tunic, and in winter a khaki serge tunic, knickers or shorts and khaki-coloured putties.

*Arms.*—Forest Guards in Ohota Nagpur will be supplied with a bhalwa and in the hills with a khukri.

(f) *Orderlies and Office Peons.*

Uniforms similar to that of Forest Guard, but without letters "F. G." on collar.

(g) *Chaukidars, Dák-wallahs, Forest Paiks, and Fire Patrols.*

Pagri same as that of Forest Guard. Plain khaki drill or cotton jumper and belt. Knicker or dhoti of khaki cloth.

(h) *Khalasis on Steam-launches.*

Thin blue jumper, pantaloons, and marine caps with name of launch on ribbon.

3. Uniforms will be supplied once annually at the cost of Government to all officials drawing less than Rs. 30 a month. In the hills serge and khaki drill suits will be supplied in alternate years.

4. In order to control the cost of uniforms supplied it is ruled that uniforms will only be supplied once a year in October or November, and the cost should not exceed the following:—

## SUITS INCLUDING BUTTONS.

*Deputy Rangers and Foresters—*

			Rs.	A.
Khaki serge	...	...	12	0
Khaki drill	...	...	7	0

*Revenue Station Officers.  
(To last two years.)*

Khaki drill	...	...	6	0
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*Forest Guards.*

Khaki serge	...	...	10	8
Khaki drill	...	...	4	0

*Paiks and Fire Patrols.*

Khaki cotton	...	...	2	0
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*Launch Khalasis.*

Blue cotton	...	...	2	8
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## HEAD DRESS, ETC..

Deputy Rangers and Foresters	...	...	2	0
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## FOREST GUARDS, CHAUKIDARS, ETC.

Pagries	...	...	1	0
Forest Guards' caps	...	...	1	8
Belts	...	...	1	0
Chapras	...	...	1	8
Khukries	...	...	3	0
Putties (when desired)	...	...	1	0

5. Officers on probation and officiating will not be provided with suits at cost of Government. They will be required to appear in khaki-coloured clothes and will be supplied with belts and arms only. Officiating officers may make their own arrangements with officers going on leave.

6. To prevent impersonation of Forest officials all subordinates quitting the service will leave or send their uniforms to the Divisional Office. In the case of uniforms in good condition which are private property endeavours will be made to dispense of them at a fair price to probationers, etc., crediting the same to the owners.

7. All uniforms will be obtained either from the Muir Mills, Cawnpore, or where good tailors are available will be made up of good khaki drill to be purchased from Spinnor and Company, Bombay.

### Rules for taking Security from Subordinate Forest Officers.

[Approved in Government Orders No. 1135, dated 25th February 1896, No. 3711, dated 14th September 1896, No. 1061, dated 27th October 1896, and No. 2311 T.-R., dated 27th September 1901.]

25. The following rules relating to the taking of security from officers of the Subordinate Forest Service, that is to say, Rangers, Foresters, Guards, and other subordinates, clerks and peons, are prescribed in supersession of previous orders on the subject. They apply to all officers, whether holding permanent or officiating appointments:—

1. Every officer through whose hands public money passes is to furnish security. The scale at which security is to be taken from Head Clerks of Forest Divisions, Forest Rangers, and Foresters is given below:—

Head Clerks of Forest Divisions, not less than Rs. 500 ordinarily, and Rs. 1,000 in special cases, with the approval of the Conservator.

Forest Rangers, Rs. 1,000, and, when in charge of revenue stations, Rs. 2,000.

Foresters, Rs. 500, and, when in charge of revenue stations, Rs. 1,000. Provided that this rule does not apply to forest guards or office peons whose case is covered by the next following rule.

2. Forest guards and office peons must either furnish a cash security of Rs. 50, in a single payment, or by monthly deduction from pay of not less than one rupee, till the above amount has been completed, or they must give a security bond, executed by some person of known respectability and solvency, for their good and honest conduct, in the following form:—

“I know A B to be an honest man, and I agree to forfeit Rs. 50, if called upon to do so, should he be proved to have embezzled Government money up to that amount.”

3. All officers who have to furnish security in excess of Rs. 500 shall give it in the form of Government promissory notes, or in cash. If it is given in cash, the sum will be invested in as many Government promissory notes as it will purchase, the balance, if any, being placed in the Savings Bank as a security deposit (Government Order No. 4061, dated 27th October 1896).

4. Officers who have to give security of Rs. 500 and under shall give it in the form of Post Office Savings Bank deposits.

5. If an officer is unable to furnish the full amount of security due from him in a single payment, he may, at the discretion of the Conservator, be permitted to pay it by monthly instalments of not less than one-fourth of his pay.

6. House property may in no case be accepted as security.

7. No officer appointed after the date of these rules to any post requiring security will be permitted to furnish it in the form of landed property.

8. Officers who already give security in landed property will be required to set apart 25 per cent. of their salaries in order to provide security in the form of promissory notes or Savings Bank deposits. The security given by them in landed property will remain in force until the requisite amount has been made up by deductions from their pay.

9. The form of security bond annexed to these rules is prescribed for treasurers. This form is also to be taken as a model in other cases in which security is required from officers having charge of public

money. In such cases the nature of the office may be such as to call for modification in the working of the form, but it is important that there should be as little difference as possible in the nature of the obligation of the signatories to the bond, and the interest of Government must in every instance, be fully secured.

10. Promissory notes and Savings Bank deposits lodged as security shall not be returned until after six months from the date of vacation of the office, but security bonds should be retained permanently, or until it is certain that there is no necessity for keeping them longer.

11. Public securities lodged with Government officers as a guarantee for the due performance of official duties are to be endorsed over and remitted to the "Comptroller-General, the Accountant-General, Bengal, or the Comptroller, Post Office, as the case may be, as laid down in the Resolution of the Government of India, Department of Finance and Commerce, No. 3880 A., dated 6th July 1908."

*Note.*—Government promissory notes when deposited for a period not exceeding 12 months, or when deposited for a longer period during which it is not desired to draw interest, shall remain in the name of the depositor and be deposited in the nearest Civil Treasury for safe custody by the officer receiving the deposit.

12. Security bonds given on plain paper by ministerial officers are exempted from payment of registration fees.

13. The security bonds of all officers are to be sent for safe custody to the Inspector-General of Registration. They should be sent in registered covers, and copies on plain paper should be retained in the Forest Office for reference, whenever necessary.

14. A register of securities is to be kept in the following form in every Forest Office :—

No.	NAME OF OFFICER.	Designation.	Amount of security furnished.	Nature of security payable.	Value of security furnished.	Date of bond.	Date of despatch to Inspector-General of Registration.	REMARKS.

#### SECURITY BOND.

Know all men by these presents that (1)  
 of  
 and (2)  
 and (3)  
 are  
 held and firmly bound unto the SECRETARY OF STATE FOR INDIA IN COUNCIL in the sum of Rs.       rupees to be paid to the said SECRETARY OF STATE IN COUNCIL his successors or assigns or his or their certain Attorney or Attorneys for which payment well and truly to be made we bind ourselves our heirs executors administrators and representatives jointly and every two of us bind ourselves our heirs executors administrators and representatives jointly and each of us binds himself his heirs executors administrators and representatives

severally firmly by these presents sealed with our seals on the dates against our signatures below and each of us the said (1)

(2) and (3)

doth hereby for himself his heirs executors administrators and representatives covenant with the said SECRETARY OF STATE IN COUNCIL his successors and assigns that if any suit shall be brought touching the subject-matter of this obligation or the condition hereunder written in any Court subject to the High Court of Judicature at Fort William other than the said High Court in its Ordinary Original Jurisdiction the same shall and may at the instance of the said SECRETARY OF STATE IN COUNCIL be removed into tried and determined by the said High Court in its Extraordinary Original Jurisdiction.

Whereas the above bounden (1) was on the day of appointed to the Forest Department and now holds and exercises the office of at and whereas by virtue of such office the said (1) has amongst other duties the care charge oversight of and responsibility for the safe and proper storing and keeping in the places appointed for the custody thereof respectively of all money goods stores and effects timber fuel and other forest produce in the forest under his charge and the safe and proper keeping of the said forest and the disposal of certain produce therefrom and whereas the said (1)

is bound whenever called upon so to do to show to his superior officers that the said property and every part thereof save so much thereof as he has duly accounted for is at all times in good and proper order in the places aforesaid and whereas the said (1) is further bound

to keep true and faithful accounts of the said property and of his dealings under written orders of his superior officers therewith respectively in the form and manner that may from time to time be prescribed under authority of Government and also to prepare and submit such returns and such accounts as he may from time to time be called upon to do and whereas the bulk of the said property remains as well in the care charge and custody of the Divisional Forest Officer under whose orders he is serving for the time being as of himself but as between himself and the said SECRETARY OF STATE FOR INDIA IN COUNCIL he the said (1)

is alone responsible and answerable therefor and for every part thereof and whereas the responsibility of the said (1) for the said property and every part thereof does not cease until the same has been duly used or otherwise disposed of under the written orders aforesaid and accounted for and whereas the said (1)

in consideration of his said appointment has deposited Rs. rupees and will deposit a further sum of Rs. rupees

making up the total sum of Rs. rupees in the Post Office Savings Bank or such other Post Office Savings Bank as may be ordered by monthly instalments of one-fourth of his pay for the purpose of in part securing and indemnifying the said SECRETARY OF STATE IN COUNCIL his successors and assigns against all loss and damage which he or they might

FOOTNOTE.—In filling in—(1) indicates the Principal.  
(2) " the 1st Surety.  
(3) " the 2nd Surety.

or may in any way suffer by reason of the said property or any part or parts thereof being in any way consumed wasted embezzled stolen misspent lost misapplied or otherwise dishonestly negligently or by or through oversight or violence made away or parted with by himself the said (1) or any servants  
 peons or coolies serving under him or by any other person or persons whomsoever whether in the service of Government or otherwise and whereas the said (1) and the said (2)  
 and (3) as his the said (1)

's sureties in that behalf have entered into the above bond in the penal sum of conditioned for the due performance by him the said (1) of the duties of the said office aforesaid and of other the duties appertaining thereto or which may lawfully be required of him and the indemnity of the said SECRETARY OF STATE IN COUNCIL and his servants against loss from or by reasons of the acts or defaults of the said (1)

and all of and every the person and persons aforesaid.  
 Now the condition of the above written bond is such that if the said (1) has while he has held the said office of

as aforesaid always duly performed and fulfilled the said duties of the said office and other the duties aforesaid and if he the said (1) shall whilst he shall hold the said office always duly perform and fulfil all and every the duties thereof aforesaid and further if the said (2)

and (3) do and shall indemnify and save harmless the said SECRETARY OF STATE IN COUNCIL his successors and assigns the Government of Bengal and all and every the person or persons who from time to time has or have held or shall hold or exercise the said office of Divisional Forest Officer while the said (1)

has held or shall hold and enjoy the said office of as aforesaid of and from all and every loss and damage which during the time the said (1) had held executed and enjoyed the said office has happened or been sustained or shall or may at any times or time hereafter during the time that he the said (1) shall hold or exercise or

act in the said office happen to or be sustained by the said SECRETARY OF STATE IN COUNCIL his successors or assigns the Government of Bengal or the said Divisional Forest Officer for the time being by from or through the means of the neglect failure misconduct disobedience omission or insolvency of the said (1)

or any servants peons or coolies serving under him or by from or through the consuming wasting embezzling stealing mispending losing misapplying or otherwise dishonestly or negligently or through oversight or violence making away or parting with the said property or any part or parts thereof by any person or persons whomsoever whilst he the said (1) has acted or shall continue

to act in the said office of as aforesaid then this obligation to be void and of no effect otherwise the same shall be and remain in full force and virtue: Provided always and it is hereby agreed and declared that neither of them the said (2)

and (3) shall be at

FOOT-NOTE.—In filling in—(1) indicates the Principal,  
 (2) " " the 1st Surety.  
 (3) " " the 2nd Surety.



liberty to terminate his suretyship so long as he holds the appointment aforesaid in the Forest Department: Provided always and it is hereby declared and agreed by the said (2)

and (3) with the said SECRETARY or STATE IN COUNCIL that the sum of Rs. rupees so deposited and such further sums as will be deposited as aforesaid respectively or such other Government security or securities to the same amount as the Divisional Forest Officer for the time being of the Government of Bengal may consent from time to time to accept and receive and shall accordingly receive in lieu of and in exchange for the same and the interest thereof respectively shall be and remain with the said Divisional Forest Officer for the time being or the Government of Bengal as and for part and additional security to the said SECRETARY or STATE IN COUNCIL, his successors and assigns for the purposes aforesaid with full powers to the said SECRETARY OF STATE IN COUNCIL, his successors or assigns or his or their officers and servants duly authorized in that behalf from time to time as occasion shall require to convert to his own use the said sums or a sufficient portion thereof with the interest thereon and to apply the proceeds thereof in and towards the indemnity as aforesaid of the said SECRETARY or STATE IN COUNCIL his successors and assigns as the case may require but nevertheless the interest of the said sum deposited may in the meantime be paid over as the same shall be realized by the said Divisional Forest Officer for the time being or the Government of Bengal if they shall think fit to the said (1)

: Provided further and it is hereby expressly agreed and declared between and by the said (2) and (3)

and the SECRETARY or STATE IN COUNCIL that it shall be lawful for the said (1) with the consent of the said Divisional Forest Officer or of other the person exercising his functions for the time being under the sanction of the Government of Bengal to change and substitute for the said deposit of Rs.

rupees and future deposits or any part thereof or any substituted securities from time to time other securities of the same or other loans of the same or greater value without in any way affecting the obligation of the said bond or the liability of the said (2) and (3) as such

securities as aforesaid and it is hereby lastly agreed and declared by and between the said (1) and the said (2)

and (3) as his the said (1) 's sureties and the said SECRETARY OF STATE that on the vacation by the said (1) of his the said office of the abovementioned deposit of Rs. rupees and future

sums similarly deposited or any securities that may be substituted therefore as aforesaid shall not be at once returned to him but shall be and remain with the said Divisional Forest Officer for the term of six months as security against any loss that may have been incurred by

(a) NOTE.—In allieg in—(1) indicates the Principal.  
(2) " the 1st Surety.  
(3) " the 2nd Surety.

(b) On the completion of the full deposit required under the rules, a fresh bond should be executed by the Principal, but the original bond should not be cancelled, the sureties remaining responsible as long as the officer holds his appointment in this Department.  
Conservator's Circular No. 170-38 E., dated 16th October 1898.

the SECRETARY OF STATE owing to the neglect or default of the said (1) or any other person or persons as aforesaid and which may not have been discovered until after the vacation of his appointment by the said (1) : Provided always that the return at any time of the said deposits or other securities shall not be deemed to affect the right of the said SECRETARY OF STATE to take proceedings upon the said bond against the said (1) and (2) and (3)

in case any breach of the conditions of the said bond shall be discovered after the return of the said Government securities.

In witness whereof the said parties to these presents do hereunto set their respective hands on the respective dates of their several signatures.

Witnesses	}		<i>Principal.</i>
		<i>Date</i>	
Witnesses	}		<i>1st Surety.</i>
		<i>Date</i>	
Witnesses	}		<i>2nd Surety.</i>
		<i>Date</i>	

### Method of dealing with Security Deposits.

26. Amounts received from the forest subordinates as security deposits should not appear in the divisional cash book at all, but should be placed in the Government Post Office Savings Banks in the name of the Divisional Forest Officer to whom the securities are pledged in accordance with the Savings

Comptroller and Auditor-General's No. 2377 F., dated 14th December 1910, and Accountant-General, Bengal's No. 149 F., dated 7th December 1906.

#### Banks Rules.

A Register of Security Deposits, distinct from and outside the regular accounts, should be kept in every Divisional Office. In this register should be posted all deposits in the Savings Banks and all withdrawals therefrom for the purchase of Government securities in favour of the parties concerned, as well as the amounts remitted to Comptroller-General and balances received back from him after purchase of securities.

The balances as shown in the pass books, exclusive of interest, should be verified periodically with those in the Security Deposit Register.

Care should be taken not to post the interest realized on Government securities in the above register.

All transactions connected with the payment of interest on Government promissory notes should appear in the accounts. On receipt of the warrants authorizing payment of interest, the amounts thereof should

Comptroller-General's No. 3179, dated the 12th November 1909.

be entered in the divisional cash-book under the head "Suspense," and payments made to the subordinates to whom the interest is due should be charged to the same head, each such charge being supported by a voucher in the prescribed form.

### Government Promissory Notes tendered as Security.

27. Government promissory notes should not be accepted as security by Government officers unless they have been enfaced for payment of interest at the treasuries in which they are to be deposited. It would also be desirable, where there is any doubt about the regularity of endorsements on the note, to require the depositor to obtain a renewal of it in his name.

Government of India  
No. 3098 A., dated 30th May  
1905.  
Bengal Government  
Circular No. 13 T.-F.,  
dated 10th July 1905.

But the officer who accepts the security, should exercise his discretion, and need not require enforcement in petty cases of temporary deposit, or where the depositor is thoroughly trustworthy and substantial, unless he has reason to suspect the authenticity of the promissory note or the depositor's title thereto.

### Method of dealing with Government Promissory Notes.

28. (1) When deposited for a period not exceeding twelve months, the notes shall remain in the name of the depositor and shall not be endorsed by him to any officer of Government.
- (2) The Government officer receiving the deposit will see that the notes stand in the name of the depositor, and that the contract or other document executed by the depositor conveys authority to Government to appropriate or cancel the notes if the contract is not fulfilled.
- (3) After satisfying himself on these points, the Government officer receiving the deposit will lodge the notes for safe custody in the nearest Civil treasury, except in the Presidency towns. In Calcutta, the notes will be deposited with the Comptroller-General, the Accountant-General, Bengal, or the Comptroller, Post Offices, as the case may be, and in Madras and Bombay with the Accountant-General, Madras and Bombay, respectively. The Comptroller-General will issue subsidiary rules regulating the procedure at the treasuries.
- (4) The depositor may draw interest on the notes by tendering receipts in the usual form, countersigned by the officer with whom he deposited the notes.
- (5) When notes are deposited for more than twelve months, and it is not desired to draw interest thereon during the period of deposit, they shall remain in the name of the depositor, and the Government officer receiving them will simply forward them to the Comptroller-General (or the Comptroller, Post Offices, or the Accountant-General, Bengal, Madras, or Bombay, as the case may be) through the Account Officer concerned.
- (6) When the notes are deposited for more than twelve months, and it is desired to draw interest thereon during the period of deposit, they shall be endorsed by the depositor to the Comptroller-General (or the Comptroller, Post Offices, or the Accountant-General, Bengal, Madras, or Bombay, as the case may be) and sent to that officer through the Account Officer concerned.

Government of India Resolution  
No. 4579 A., dated 29th  
April 1905.

### Service Books.

29. Divisional Officers are required by the foot-note of page 1 of Conservator's Circular No. 105, dated 13th July 1910. Service Books (reprinted in 1909) to renew or reattest the entries on this page after the expiry of every five years. The following points should therefore be observed at each re-examination:—

- (1) a fresh thumb impression should be taken;
- (2) original personal marks should be examined, and any obliterations or fresh prominent marks which may have appeared subsequent to the last examination carefully recorded; and
- (3) the Divisional Officer's dated signature appended to the page in token of reattestation.

Government Circular No. 2 F., dated 2nd February 1906.

2. Service books of officers dismissed from the service of Government should be preserved for a period of twelve years.

### Character Rolls.

30. When submitting confidential reports a list of the officers reported on should be given in detail. If any subordinate is not reported on, the reasons for the omission should be noted. Reports will be forwarded under confidential cover.

Conservator's Circular No. 149, dated 11th September 1909.

(a) Covers containing official correspondence which is not of a confidential nature should be addressed to the officer for whom they are intended by his official designation only and without the addition of his name.

Bengal Government Circular No. 937 F., dated 19th March 1904.

(b) Confidential papers should be placed in double covers, the inner cover being marked "Confidential" and superscribed with the name only of the addressee, the outer cover being addressed in the manner prescribed at (a) above.

### Remarks on Subordinates.

31. The communication to inferior officers of the remarks and correspondence of their superiors in authority and position is always a matter of discretion.

Board's Rules, page 28.

If distinct charges are made against officers, or special praise awarded to them, they will, as a matter of course, be furnished with the remarks of their superiors; but they have no right to demand a copy of every official report made concerning them.

Board's Rules, page 40.

Government of India No. 1927, dated 21st June 1902.

When service and character books are maintained under the rules of the service, they should invariably be forwarded together with memorials appealing against removal or dismissal.

### Grain Compensation Allowance.

32. When the price of the common staple food-grain of the district is dearer than Re. 1 for 10 seers, all whole-time servants of Government on civil establishments whose pay does not exceed Rs. 16 per mensem, or in the case of men required to keep a horse or camel,

Government of India No. 87 E., dated 6th January 1900.

Rs. 25 per mensem, may receive an extra allowance not exceeding Re. 1-8 per mensem. If the pay of the officer is less than Rs. 5 per mensem, the extra allowance may be increased at the discretion of the sanctioning authority, so as to bring up the aggregate pay and allowance to an amount not exceeding Rs. 6-8 per mensem.

When such grain is not dearer than Re. 1 for 10 seers, but is dearer than Re. 1 for 12 seers, the said servants may receive an extra allowance not exceeding Re. 1 per mensem. If the pay of the officer is less than Rs. 5 per mensem, the extra allowance may be increased, at the discretion of the sanctioning authority, so as to bring up the aggregate pay and allowance to an amount not exceeding Rs. 6 per mensem.

The allowance is admissible to men who are officiating or in temporary employment, provided that they are drawing rates of salary which have been fixed with reference to normal circumstances, but the allowance is not admissible to men absent on leave, nor to part-time servants who are only engaged by Government for specific duties which do not prevent their earning money in other ways.

### Travelling Allowance.

#### (a) *Daily Allowance.*

33. Whenever daily allowance for more than ten days of a halt at one place is drawn by any officer, a certificate should be given on the travelling allowance bill to the effect that camp equipage was maintained during the whole period of the halt.

Comptroller-General's Circular No. 1612, dated 16th June 1898.

When daily allowance is claimed for two days for an absence from headquarters of not more than two consecutive days, the hours of departure from and return to headquarters should invariably be noted on the bill.

Conservator's Circular No. 23T.A., dated 18th May 1899.

#### (b) *Travelling Allowance of Deputy Rangers.*

Deputy Rangers are entitled to travelling allowance under Article 1133 A, and Entry No. 18 of the Appendix 22 of the Civil Service Regulations only if they are in charge of a range, or keep a horse or pony or maintain other means of conveyance.

Comptroller-General's letter No. 143, dated 18th May 1900.

#### (c) *Travelling Allowance of Students.*

Students who are selected by the Local Government to undergo a course of training at the Dehra Dun Forest College are entitled to travelling allowance for one journey in each such case.

India Government letter No. 1710-101-3, dated the 18th August 1900.

#### (d) *Rates for travelling by Steamers, etc., in the Sundarbans Division.*

Rules to regulate the rates to be charged to Civil Officers travelling on duty in steamers and steam launches, the property of Departments of Government other than the Public Works Department.

Bengal Government Circular No. 9 P., dated 9th March 1900. (Resolution No. 1374 P., dated 9th March 1900.)

The following charges will be levied :—

Name of vessel.	Rates for the first 4 hours.			After the first 4 hours.		
	Bs.	A.	P.	Bs.	A.	P.
"Hawk" ...	2	0	0	4	0	0
"Swan" ...	2	0	0	4	0	0
"Helen Grey" ...	2	0	0	4	0	0
* * *						

When two or more officers travel together in the same vessel, each officer must pay the full charge.

Stoppages exceeding half an hour in duration will be deducted from the time charged.

No charge whatever will be made when the vessel travels empty.

Those rules do not apply to the Gazetted officers of the Forest Department serving in the Sundarbans, or to the Deputy Collector in charge of the Sundarbans and his establishment when on tour in the Sundarbans, or to the officers of the Salt Department. The cases of these officers will be governed by special rules which are already in existence. The Commissioner of Excise and Salt, Bengal, who belongs to both the Excise and the Salt Departments, will come under the general rule.

#### Medical Attendance.

34. All officers of Government, whether gazetted or not, living at the head-quarters station of a district and drawing a salary of Rs. 250 and over, are entitled to gratuitous medical attendance from Civil Surgeons.

Government of India Resolution No. 12-341-51, dated 16th August 1884.

All clerks of all Government offices are entitled to gratuitous medical attendance and medicines for themselves. Clerks drawing less than Rs. 250 per mensem are entitled to the services of the Assistant Surgeon or medical subordinate provided for the purpose, it being understood that the attendance of the Civil Surgeon should be given in all cases of emergency or of great danger or difficulty, when applied for by the subordinate medical attendant.

Government of India Resolution No. 14-417-81, dated 25th October 1883.

At any station the Sub-Assistant Surgeon should attend at their own residences upper subordinate grades of Government servants, including clerks. As regards Government servants of inferior grades and servants of Government employes these should be treated at dispensaries or hospitals.

Government of India Letter No. 3938, date 31st August 1889.

#### Rules for the grant of Medical Certificates.

35. The duty of granting medical certificates and of countersigning certificates under Articles 833 and 834. Civil Service Regulations, shall, in Calcutta, be performed by the medical officers mentioned, who will examine or countersign certificates relating to those officers only who belong to the departments allotted to them.

Bengal Government Circular No. 3309, dated 30th June 1897.

2. In the mufassal the duty of granting medical certificates and of countersigning certificates under articles 833 and 834, Civil Service Regulations shall be performed by the Civil Surgeon or Civil Medical Officer of the district, who will examine or countersign certificates relating to persons of all departments who belong to, or are employed in, his district. He will on no account examine or countersign a certificate for a person attached to another district, except under the circumstances described in rule 4.

3. All officers of Government, whether gazetted or non-gazetted who are desirous of obtaining medical certificates recommending leave, extension of leave, or retirement, must, if employed in Calcutta, apply to the Medical Officer to whom the department in which they are employed is allotted. If they are employed in the mufassal, they must apply to the Civil Surgeon or the Civil Medical Officer of the district in which they are employed, and to him only.

4. Officers on leave either in Calcutta or the mufassal who, while at a station other than that from which they went on leave, are desirous of obtaining an extension of leave on medical certificate, must, if in Calcutta, apply to the Medical Officer to whom the department in which they are employed or the department of the Secretariat to which they are immediately subordinate is allotted, and if in the mufassal, to the Civil Surgeon or Civil Medical Officer of the district. In every such case it will be the duty of the Medical Officer, before he grants a certificate, to ascertain particulars regarding the applicant's previous medical history, and the fact that this has been done shall be mentioned in the medical certificate.

5. Selected candidates for employment in Government service will be examined only on the requisition of the Head of the Department for which they have been selected. In Calcutta, such requisitions must be addressed to the Medical Officer to whom the department has been allotted, and to no other officer; and in the mufassal to the Civil Surgeon or Civil Medical Officer of the district in which they are to serve.

6. Medical certificates granted to selected candidates for employment in Government service will ordinarily be in Form I, but certificates in Form II will be given when specially required by the Head of the Department. Those granted to officers in the service of Government, whether gazetted or non-gazetted, will be in Form III, which is prescribed in article 828 of the Civil Service Regulations.

7. In every case, if the opinion of the Medical Officer is unfavourable to the applicant, an appeal will lie to the Medical Board, and the decision of the Board shall be final.

The Lieutenant-Governor is pleased to direct that these rules shall also apply to the establishments under the Government of India in Calcutta, and that the orders distributing the establishments of the Governments of India and of Bengal, for the purpose of the grant of medical certificates, will not affect the right of any officer under either Government, resident in Calcutta, who is entitled to the attendance of a Presidency Surgeon, to call in for the purpose of treatment any one of them whom he chooses except in cases in which special orders have been laid down limiting this right.

The Lieutenant-Governor also directs that medical certificates shall only be required from selected candidates on the requisition of the Head of the Department, and that this shall be granted free of charge.

In the case of selected candidates for the Provincial Service, the certificate will be in Form II.

The certificate prescribed by rule 6 for ordinary use is the same as that prescribed by Article 49 of the Civil Service Regulations, but the rule leaves it open to any Department which requires its officers to be capable of standing hard outdoor work to demand a special certificate in Form II.

## FORM I.

I do hereby certify that I have examined A. B., a candidate for employment in the \_\_\_\_\_ Department, and cannot discover that he has any disease, constitutional affection or bodily infirmity, except \_\_\_\_\_. I do not consider this is a disqualification for employment in the office of \_\_\_\_\_  
A. B.'s age is, according to his own statement (X) years, and by appearance about (Y) years.

## FORM II.

*Special certificate of physical fitness for Government service.*

I \_\_\_\_\_, do hereby certify that I have examined \_\_\_\_\_, a candidate for employment in \_\_\_\_\_  
His age is by his own statement \_\_\_\_\_ years, and by appearance \_\_\_\_\_ years.

- (a) General conformation.
- (b) Vision.
- (c) Hearing.
- (d) Lungs.
- (e) Heart.
- (f) Liver.
- (g) Spleen.
- (h) Hernia, present or absent.
- (i) Hydrocele, present or absent.
- (k) Glycosuria, present or absent.
- (l) Albuminuria, present or absent.
- (m) Distinguishing marks.

I consider that he is of sound health and good physique, and capable of bearing fatigue and exposure, and that he is fit to enter the service of Government.

I consider him unfit to enter the service of Government for the reason given at \_\_\_\_\_

Place

Date

## FORM III.

I, A. B., Surgeon at (or of) \_\_\_\_\_, do hereby certify that C. D., of the \_\_\_\_\_ service, is in a bad state of health, and I solemnly and sincerely declare that, according to the best of my judgment, a change of air is essentially necessary to his recovery, and do therefore recommend that he may be permitted to proceed to sea (or to such place as the Surgeon may think proper, expressing it in the certificate).



### Applications for Leave.

(a) *General.*

36. All applications for leave submitted by non-gazetted subordinates should be forwarded to the Conservator for sanction under an endorsement stating the amount and kinds of leave, if any, availed of by applicant from date of entry in department.

Conservator's Circular  
No 318, dated 23rd January  
1905.

(b) *Casual Leave.*

Casual leave is not recognized by the Civil Service Regulations; and an officer absent on casual leave is not treated as absent from duty. Government will make no arrangements to supply the place of officers absent on such leave, and will accept no responsibility for any inconvenience which may occur owing to such absence. The officer granting the leave, and the officer taking it, will be held responsible if the public service suffers in any way from the absence of an officer on casual leave.

Bengal Government  
Circular No. 2A.—D., dated  
26th September 1954.

- (1) Casual leave for not more than ten days may be given by the—  
 Heads of Departments ... to any officer in the Department.  
 Heads of offices to ... non-gazetted and ministerial officers  
 serving in the office.

Every officer who grants casual leave shall cause a register of such leave to be maintained in the following form :—

*Column 1.*—Name and rank of officer to whom casual leave has been granted.

2.—Date on which leave begins and ends.

3.—Remarks.

Casual leave cannot be claimed of right; and casual leave in excess of ten days cannot be given.

(2) Absence during gazetted holidays may be sanctioned by the same authorities. Gazetted holidays cannot be used to extend the period of casual leave beyond ten days in all at one time.

(3) Not more than ten days' casual leave can be given in any one calendar year; but for the purposes of counting the ten days under this rule, gazetted holidays need not be included:

(c) *Extension of Leave.*

When officers on leave wish to extend their leave, they should apply for it in ample time to permit of sanction being accorded thereto before the expiry of the original leave granted. Should they fail to do this and not return on the expiry of the leave originally granted, they will be considered as absent without leave and be liable to have their services dispensed with.

Conservator's Circular  
No. 18, dated 13th April  
1903.

Conservator's Circular  
No. 18, dated 13th April  
1909.

*(d) Applications for furlough.*

Applications for furlough should ordinarily be made at least three months before the date from which an officer wishes his furlough to commence; in every case in which this course is not followed, an explanation of the circumstances under which the application was delayed should accompany the application.

Bengal Government  
Circular No. G.A., dated  
11th December 1901.

*(e) Combined Leave — Privilege Leave Pay may be drawn in England.*

Officers who proceed to England on combined leave under Civil Rules have the option of drawing their privilege leave pay at the Home Treasury. This pay will be converted at the rate of exchange fixed for the time being for the adjustment of final transactions between the Imperial and Indian Governments; at present 1s—4d the rupee.

Government of India,  
Finance Department No.  
1202 P., dated Calcutta, the  
7th March 1907.

*(f) Taking of other Employment while on Leave.*

Leave should not be granted to non-gazetted officers with the object of obtaining other employment without the Conservator's prior approval in each case.

Conservator's Circular  
No. 213, dated 20th  
November 1899.

*(g) Leave to Steamer Establishments in the Sundarbans.*

The steamer and boat establishments in the Sundarbans Division are purely temporary establishments, and it is not likely that the members thereof will be brought on to the permanent staff. Government does not, therefore, consider it necessary that formal leave should be granted to them under article 339 (2) of the Civil Service Regulations. Leave may be granted to them by the Conservator of Forests, and he may take them back if they rejoin within any period fixed by him, but such absence is not to be considered as formal leave.

Bengal Government letter  
No. 612, dated 31st January  
1902.

**Pension Claims.**

37. The Government of Bengal having ruled that (1) special attention should be given to the prompt disposal of all applications for pension, and (2) that the Accountant-General, Bengal, should bring any cases of unreasonable delay to the notice of Government so that disregard of these orders may be suitably dealt with, it is incumbent on all Divisional Officers to have the services of the applicant verified from local records at as early a date as practicable before submitting the application to the Conservator for final action.

Government of Bengal,  
Financial Department Circular  
No. 15 F., dated the 6th  
November 1903.

The attention of officers is also drawn to the necessity of recording accurately and fully such prominent personal marks as appear on the person of applicants for pension at the time of their retirement.

Government of Bengal,  
Financial Department Circular  
No. 26 T.—F., dated the  
23rd June 1910.

### Identification of Pensioners.

38. All applicants for service pensions, with the exception of those hereinafter mentioned in rule 10, shall, at the time of preparation of their applications for pension, make, before the head of the office, in the first page of their application for pension in the space provided therein for the purpose, an impression of the ball of the thumb of the left hand.

An impression similar to that mentioned in rule 1 shall at the same time be taken on a slip of paper and shall be attached to the application for pension.

These impressions will be sent, together with the pension papers, to the officer reporting on the claim to pension, and be forwarded by him to the authority who has to sanction the pension. They will thereafter be forwarded by the sanctioning authority to the officer who audits payments of the pension.

The impression given on the application for pension will serve in the auditing office as a permanent record of the impression, while that given on the separate slip will be pasted on the Disbursing Officer's half of the Permanent Pay Order.

On the first appearance of a pensioner on or after 1st April of each year, the Disbursing Officer will, except in the cases of pensioners mentioned in rule 10, take an impression of the thumb of the pensioner's left hand on his pension bill, and besides identifying the pensioner from the other particulars given in the Disbursing Officer's half of the Permanent Pay Order or in the Audit Register (as the case may be), identify him from a comparison of the impression given on the bill with that pasted on the Permanent Pay Order or in the Audit Register, and in case of difference in the two impressions will refer the matter to the officer before whom the impression pasted in the Permanent Order or in the Audit Register had been made.

Except Native Princes, European ladies, persons who have been gazetted officers, and those specially exempted by Government (these exceptions being made on the ground that there can be no difficulty in future identification), all pensioners shall be liable to the operation of these rules.

*Parda* ladies and illiterate pensioners shall give a thumb-impression on their bills before the person granting the life certificate, or, in the case of illiterate pensioners who personally attend the paying office, before the Disbursing Officer.

On the renewing of a Permanent Pay Order, the original impression shall be cut off from the old and attached to the new order.

Impressions shall be taken in the following manner:—

A small quantity of ordinary printer's ink (which will be supplied by the Controller of Stationery, Calcutta) mixed with a very small quantity of sweet-oil, should be well rubbed with an India-rubber roller on a tin slab until a very thin even layer is formed. The ball of the thumb of the left hand of the pensioner, after being wiped, should be laid on the inked slab and rolled from side to side (not rubbed) until sufficiently inked (this can be learnt from experience), and then lightly and carefully rolled on the paper on which the print

is to be taken in such a way that the pattern of the whole of the ball of the thumb from side to side is clearly impressed on it. It must be specially borne in mind that any *side* movement, either at the time of applying or removing the thumb, will cause a smudge and spoil the impression.

In the case of pensioners now on the pension list, Disbursing Officers will, on the next occasion on which each pension is paid and after careful identification of the pensioner, take his or her impression on the Permanent Pay Order or Audit Register.

A thumb-impression should also be taken in the service books of persons in service in the space for "Distinctive Marks." In all cases when an officer is sent for medical examination, the examining Medical Officer or Board should be asked to obtain the thumb-impression of the candidate for appointment, leave, or pension on the medical certificate. This last impression should afterwards be verified with that in the Service book by the head of the office.

### Punishment and Dismissal of Government Servants.

39. No order shall be passed inflicting upon any servant of Government the punishment of dismissal or removal, or in the case of servants of Government drawing more than Rs. 10 a month, of reduction to a lower grade of pay, without the preliminary of a departmental enquiry.

2. The record of such departmental enquiry will consist of a proceeding in the form noted below and shall include—

- (a) the framing of specific charges in writing against the Government servant concerned, of which he shall be furnished with a copy and which he shall be called on to explain;
- (b) the record of a memorandum of the evidence of the witnesses examined (if any). Such examination should, if there be no special reason to the contrary, be conducted in the presence of the accused, who should be given an opportunity of questioning the witnesses. Except under very special circumstances, no pleader or agent should be allowed to appear either on behalf of Government or the accused, either before the officer who conducts the enquiry or any officer to whom appeal may be made;
- (c) a reasonable opportunity to the accused of adducing his defence, which shall be reduced to writing, also the record of a memorandum of the evidence of any witnesses adduced by the accused in so far as their evidence may be relevant to the charge against him;
- (d) a recital of the accused's previous character as recorded in his service book or office records;
- (e) a clear and definite finding, upon each of the charges originally framed against the accused;
- (f) a clear and definite finding as to the punishment to be inflicted.

3. When the orders for punishment are passed by an authority other than the person conducting the enquiry into the conduct of the Government officer concerned, it will be sufficient if the authority

Bengal  
letter No. 2768, dated 9th  
July 1904.

passing orders of punishment definitely records his agreement or disagreement with the person by whom the enquiry was conducted.

4. The record is to be prepared as the case is gone into: it is not to be written by a clerk after the case has been decided.

5. When any orders of punishment have been passed, the officer punished shall be entitled to receive a copy of the order of punishment free of cost and shall also be allowed to take a copy of the rest of the records, paying for the copy at the usual copy rates or providing his own paper and copyist.

6. The special attention of all officers is drawn to the rule prescribed under the authority of the Government of India and reproduced in the margin. In accordance therewith they should base their findings and orders of punishment upon facts and inferences appearing in or deduced from the records, and the judgment should not contain confidential matters or deal with persons or topics not directly concerned with or at issue in the proceedings. With regard to such matters, which properly form the subject of separate correspondence, Rule 23, Section IX, page 26 of the Records Manual will apply.

(1) As a rule, only the substance of a decision should be communicated to the officer concerned, with such statement of the grounds upon which it is based as may be necessary for the information of the officer and may be considered expedient, having regard to the circumstances of the case; (ii) Despatches from or to the Secretary of State and correspondence indicating a difference of opinion between the Local Government and the Government of India should only be communicated with the express permission of the Government of India.

7. The above instructions will not apply in the case of public servants—

(a) who are judicially convicted of a criminal offence and are dismissed or otherwise punished solely with regard to the finding of the court, or

(b) who abscond with an accusation pending against them.

8. An appellate authority should ordinarily deal, as is customary, with those points only that are raised or pressed in the appeal.

#### *Instructions for drawing up proceedings.*

##### PROCEEDINGS.

The following sequence will be observed:—

- |   |  |
|---|--|
| (1) Name, rank, and grade of officer ,<br>proceeded against.  | Against_____   |
| (2) Each offence charged to be explicitly set forth (pages to ).  |  |
| (3) A memorandum of evidence to be recorded.  | Commenced_____   |
| (4) Defence. This must be reduced to writing. If a written defence is submitted, it will form part of the record. | Concluded by Divisional Forest Officer.                |
| (5) Remarks. Here record comments on the evidence (pages to ).  | Concluded by Appellate authority.<br>Order of D. F. O. |
| (6) Character of the accused (pages to ).   |  |
| (7) Order will be recorded in the form prescribed (pages to ).  | Final order of Appellate authority.                    |

(8) Orders, if any, regarding subsistence allowance, service for pension.

*N.B.*—If it is decided to prosecute, this will be noted as a preliminary order; the final order being recorded when the judicial proceedings, including appeal, have been disposed of.

Date of issue of copy of order by D. F. O.

DIVISIONAL FOREST OFFICER'S ORDER.

*Divisional Forest Officer.*

*Dated*

CONSERVATOR'S ORDER.

*Conservator.*

*Dated*

"An appeal against this order lies to  
"It must be made within 30 days from

NAME, RANK, AND GRADE OF OFFICER PROCEEDED AGAINST.

CHARGES.

(Charges must be specific. Each charge should be drawn up and separately numbered, and should give the date, occasion, and nature of the offence committed. A copy should be given to the officer charged.)

Number.	Particulars.

EVIDENCE.

(A memorandum of evidence to be recorded:—When the full statements of witnesses have been recorded in English or the Vernacular, they should be attached to the proceedings.)

Charge number.	Particulars.

DEFENCE.

(This may be recorded in abstract; the full defence, if one is submitted in writing, being attached to the proceedings.)

(If the officer charged can write, he should be permitted to submit his defence in writing. In cases of illiterate men, the Divisional Forest Officer may record the defence.)

Charge number.	Plen.

## REMARKS.

(Here record comments on the evidence and defence.)

Charge number.	

## CHARACTER.

(Date of appointment. Punishments and rewards to be noted.)

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## ORDER.

(Will be recorded in the form prescribed. Orders, if any, regarding subsistence allowance service for pension, &c., should be given.)

Charge number.	Finding and sentence by Divisional Forest Officer.

## ORDER OF THE CONSERVATOR OF FORESTS.

## Dismissal of Public Servants.

40. In the circular letter from this Department, No. <sup>11-Public</sup><sub>1085-1084</sub>, dated the 21st June 1894, the Government of India enquired what rule was observed with regard to giving Government officers necessary information as to dismissals of public servants; whether any difference was made between cases where re-employment is prohibited and where it is not; and whether in any case of dismissal in which it is decided to issue a public notification the cause which led to the dismissal is specified. The replies received to the letter

Government of India  
No. <sup>10-Public</sup><sub>919</sub>, dated the  
15th June 1895.

of 21st June show that a uniform practice is not observed in the different Provinces in dealing with this matter. The Governor-General in Council accordingly deems it desirable to state the general principles which should be observed in disposing of such cases.

2. In the first place, His Excellency in Council desires to direct attention to the distinction that exists between the removal or discharge, and the dismissal, of a public servant. Removal from office for such a cause as unfitness for the duties of the office need not usually entail any further consequences. It ought not to bar re-appointment to another office, for the duties of which the person may be suited, and it should not be accompanied by any subsidiary orders which would operate as such a bar or otherwise prejudice the person in question. Removal should be the penalty in all cases where it is not thought necessary to bar future re-employment under Government.

3. In cases of dismissal, on the other hand, the effect of the order should be to preclude the dismissed officer from being re-employed. Ordinary cases of the dismissal of non-gazetted officers need not be notified in the Government Gazette. As a precaution against the inadvertent re-employment of men who may have been dismissed, it would be sufficient to rule that officers should ascertain whether an applicant for a post has been in Government service before, and should refer to his previous employer if the circumstances connected with his discharge are not clear. The applicant should be required to produce a copy of his character book or other record of service, and a person who succeeds in obtaining employment by the concealment of his antecedents would obviously merit dismissal on the true facts being discovered. The sanction of the Local Government or Administration should always be required to the re-employment of persons dismissed.

4. The dismissal of public servants should, the Governor-General in Council considers, be notified in the Gazette only in the following cases, viz., (1) when it is necessary to notify the public of the removal from service of an officer, whether because his appointment was previously gazetted or from any other cause, and (2) when it is specially desired to exclude from re-employment in the service of Government of public servant who has been dismissed for a heinous offence, such as fraud or falsification of accounts.

5. The reason for the dismissal of a public officer should not be stated in the notification regarding his dismissal, even in cases in which a conviction has been obtained in a Criminal Court. It will be sufficient to announce in the case of any person whose dismissal will be notified in accordance with the principle laid down in paragraph 4 of this circular, that the Government has dispensed with his services, except in those cases in which the cause of dismissal constitutes a disqualification under the terms of the law regulating the tenure of a particular appointment, and it is for this reason necessary to couple with the announcement of the dismissal a statement of the grounds upon which it has been ordered.

6. The Government of India leave it to the Local Governments to make such arrangements as they think necessary for securing that officers serving under them are informed what Government servants, other than those whose dismissals have been gazetted, have been dismissed. There is not before the Government of India sufficient evidence to show that it is necessary to communicate such information between Provinces, if the precautions above mentioned are taken by officer when making appointments to vacant posts.



### Petitions or Appeals.

41. From time to time petitions or appeals against the orders of local officers, removing or dismissing Government servants, reach the Government of India. Such appeals ordinarily are forwarded through, or are reported upon by, the Local Governments. And the Governor-General in Council is glad to say that he very rarely indeed sees ground for thinking such removals hasty or unjust. The general rule of the service is that the authority who can appoint to a particular office has power to dismiss or remove from that office; and an appeal lies from an order of dismissal to the official superior of the officer who passes such order. Since the date of the order passed by the Court of Directors in 1851, no general instructions on the subject of dismissing public servants have been circulated by the Government of India. Local Governments have from time to time issued such orders; and copy of a recent circular of the North-Western Provinces Government on the subject is appended to this Resolution. His Excellency the Governor-General in Council believes that the forbearance and consideration enjoined by the Honourable Court are usually exercised by public officers of all grades and departments; but at the same time he deems it advisable to republish those instructions with the following remarks:—

In order that a dismissed servant of Government may be able to exercise his right of appeal, it is obviously necessary that the charge against him, his defence, and the order thereon should be reduced to writing. And this course, so far as the Governor-General in Council is aware, is usually taken. In the case of public servants who are dismissed in consequence of facts or inferences elicited at a judicial trial, or in the case of persons who abscond with an accusation over their heads, this procedure may be unnecessary or impossible. But in all other cases of the dismissal of public servants, the charge against a public servant should be reduced to writing, his defence should be either taken in, or reduced to, writing, and the decision on such defence should also be in writing. In many cases (such, for instance, as that of a clerk at an outlying tahsil station) the officer who passes the order of dismissal may not be able to make the enquiry himself, and the proceedings leading to dismissal would be conducted by the superior officer on the spot. The record of such charge, defence and decision would then furnish sufficient information for, and should be submitted to, the superior officer or the Government to whom the dismissed servant may prefer an appeal.

The most common defects of procedure in the investigation of charges of misconduct against Government servants ordered in the resolution cited in margin of first paragraph as lately observed are—

Government of India letter No. 1508 Public, dated 21st June 1907.

- (1) that officers frequently fail to comply with the prescribed procedure requiring a written charge and a written defence in respect of each offence;
- (2) that after framing charges they often fail to give a specific finding on each charge; and
- (3) that sometimes they do not even discuss the charges framed but confine their remarks on the whole case to some major charge which has not even been framed against the person who is the subject of the enquiry;

and officers concerned should see that the defects of procedure mentioned above and any other similar defects are avoided.

**Presentation of Appeals by non-gazetted Officers.**

42. Departmental punishments shall be held to include (i) dismissal, (ii) removal, (iii) suspension, (iv) degradation, (v) stoppage of promotion or of increment of pay, and (vi) fine.

Bengal Government  
Circular No. 26, dated 26th  
May 1905.

2. Every officer on whom any departmental punishment is inflicted shall have the right of preferring one appeal, viz., to the authority immediately superior to the officer who passes the order of punishment.

3. No officer whose service is inferior shall have the right of preferring a second appeal in the case of any departmental punishment.

4. An officer whose service is superior shall have the right of preferring a second or further appeal (i) against an order of dismissal or removal, or (ii) against an order of suspension or degradation, or of stoppage of promotion or increment of pay, when the period in respect of which the order is passed exceeds six months:

Provided that an order passed on appeal by the Board of Revenue or the Head of a Department shall, in the case of an officer whose service is superior and who draws pay of less than Rs. 50 a month, be final.

5. No appeal as of right shall lie against an order declining to give an appointment on promotion to a particular individual, or affecting a transfer or an extension of service.

NOTE.—For definitions of "inferior" and "superior" service see Article 390 of the Civil Service Regulations.

**SECTION I.****43. As to the submission of Petitions to the Government of India by private persons or public bodies.**

1. Every petition to the Government of India should be forwarded through the Local Government having jurisdiction in respect of the subject-matter of the petition. In cases where no Local Government is in a position to deal with the subject-matter of the petition, it should be forwarded through the Local Government within whose jurisdiction the petitioner is or has last been residing or employed.

2. A petition may be either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the petitioner, or, when the petitioners are numerous, by the signatures of one or more of them, and it must conclude with a specific prayer.

3. Every petition should be accompanied by a letter addressed to the Local Government requesting its transmission to the Government of India, and, when any order of a Local Government is appealed against, by a copy of such order, as well as of any orders passed in the case by subordinate authorities.

4. Communications on matters connected with any bills before the Council may be addressed either in the form of a petition to the Governor-General in Council or in a letter to the Secretary in the Legislative Department, and must in either case be sent to the Secretary in the Legislative Department. Ordinarily such communications will not be answered. Except in the case of the High Court at Fort William, such communications from courts, officials, or public bodies should be sent through the Local Government.

**SECTION II.*****As to the submission of Petitions by officers in civil employ.***

5. Every officer wishing to petition the Government of India should do so separately.

6. Every petition should be submitted through the Head of the Office or Department to which the petitioner belongs, and should be forwarded by him through the usual official channel.

7. No officer may submit a petition in respect of any matter connected with his official position, unless he has some personal interest in the matter.

8. No notice will be taken of a petition relating to any matter connected with the official prospects or position of an officer still in the public service, unless it is submitted by the officer himself.

### SECTION III.

#### *As to the transmission or withholding of Petitions by Local Governments*

9. Every petition to the Government of India should be forwarded by the Local Government concerned with a concise statement of the material facts and (unless there are special reasons for not doing so) an expression of opinion.

If the petition is an appeal against an order of dismissal from Government service, the papers submitted by the Local Government should show whether the charge against the petitioner was reduced to writing; whether his defence was taken and reduced to writing; and whether the decision was in writing. Where service or character books are maintained, these also should be submitted.

10. When the petition is not in English, the Local Government should transmit a translation with it.

11. Local Governments are vested with discretionary power to withhold petitions addressed to the Government of India in the following cases:—

- (1) When a petition is illegible or unintelligible.
- (2) When a petition contains language which in the opinion of the Local Government is disloyal, disrespectful, or improper.
- (3) When a previous petition has been disposed of by the Secretary of State for India or the Governor-General in Council, and the petition discloses no new facts or circumstances which afford grounds for a reconsideration of the case.
- (4) When a petition is an application for pecuniary assistance by a person manifestly possessing no claim.
- (5) When a petition is an application for employment from a person not in the service of Government; or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government, or by persons engaging in any profession or employment.
- (6) When a petition is an appeal from a judicial decision with which the executive has no legal power of interference.

NOTE 1.—In the following cases, namely—

- (a) when a petition is an appeal from a judicial decision in a case in which the Government has reserved any discretion of interference, or
  - (b) when a petition is an appeal from a judicial decision in a suit to which the Government was a party, or
  - (c) when a petition is practically a prayer for mercy or pardon, or contains such a prayer,
- the petition must be transmitted to the Government of India, unless it falls under clause (13) of this rule.

NOTE 2.—When a petition of the kind referred to in clause (c) of Note 1 is addressed to the Government of India after a previous petition has been rejected by the Local Government, the petition must be transmitted, unless the case is one of which the Local Government is competent to dispose on its own responsibility under the orders contained in the Resolution of the Government of India in the Home Department, No.  $\frac{20}{1804-15}$ , dated the 14th October 1885.

- (7) When a petition is an appeal against an order of the Local Government upholding on appeal the dismissal, removal, reduction or other punishment of a Government Servant or an employé of a local authority whose salary was not more than Rs. 100 a month.
  - (8) When a petition is an appeal against a decision which, by any law or rule having the force of law, is declared to be final.
  - (9) When a petition is addressed by an officer still in the public service, and has reference to his prospective claim for pension, except as provided in Article 915 of the Civil Service Regulations.
  - (10) When a petition is an appeal against the non-exercise by the Local Government of a discretion vested in it by law or rule.
  - (11) When a petition is an appeal in a case for which the law provides a different or specific remedy, or in regard to which the time limited by law for appeal has been exceeded.
  - (12) When a petition is an appeal against an order or decision of the Local Government, and is made more than six months after the communication of such order or decision to the petitioner without satisfactory explanation of the delay.
  - (13) When a petition relates to a subject on which the Local Government is competent to pass orders and no previous application for redress has been made to the Local Government.
  - (14) When a petition makes a proposal regarding legislation which the Local Government is not prepared to support.
12. If a petition is withheld, the petitioner should be informed of the fact and the reason for it.
13. A list of petitions withheld under rule 11, with the reasons for withholding them, shall be forwarded quarterly to the Government of India in the proper department.

#### RULES REGARDING THE SUBMISSION OF MEMORIALS AND OTHER PAPERS

Government of India,  
Home Department Notif.  
ication No. 145, dated the  
10th January 1906.

OF THE SAME CLASS TO HIS MAJESTY THE KING-  
EMPEROR OF INDIA, OR TO THE RIGHT  
HON'BLE THE SECRETARY OF STATE FOR INDIA.

N.B.—These rules do not in any way affect or supersede orders issued on the same subject by the military authorities for the guidance of the army.

I.—No memorial will be received or attended to, unless forwarded as hereinafter prescribed.

\* II.—Every memorial to His Majesty or to the Secretary of State for India should contain all material statements and arguments relied upon by the memorialist and be complete in itself; and it should be accompanied by a letter requesting its transmission to the authority to which it is addressed.

- (4) When a memorial is a mere application for pecuniary assistance by a person manifestly possessing no claim.
- (5) When a memorial is an application for employment under one of the Governments in India from a person not in the service of the Government, or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government or by persons engaging in any profession or employment.
- (6) When a memorial is a mere appeal from a judicial decision.

NOTE 1.—If the memorial is practically an appeal for mercy or pardon, or contains such an appeal, it must be transmitted, unless it falls under Rule XIII.

NOTE 2.—When a memorial of the kind referred to in Note 1 is addressed to His Majesty or to the Secretary of State for India after a previous petition has been rejected by the Government of India or the Local Government, the memorial must be transmitted, unless the case is one of which the Local Government is competent to dispose on its own responsibility under the orders contained in the Resolution of the Government of India in the Home Department

No. <sup>7</sup>  
1161—72, dated the 15th August 1890.

- (7)\* When a memorial is an appeal against an order of a Local Government regarding the dismissal, removal, reduction or other punishment of a Government servant or an employee of a local authority whose salary was not more than Rs. 100 a month; or when it is an appeal against a similar order of a Local Government confirmed by the Government of India from a Government servant or an employee of a local authority whose salary was not more than Rs. 250 a month.

NOTE.—The first sentence in this clause applies to the orders of the Government of India as well as to those of Local Governments.

- (8) When a memorial is an appeal against a decision which by any law or rule having the force of law is declared to be final.
- (9) When a memorial is addressed by an officer still in the public service and has reference to his prospective claim to pension.
- (10) When a memorial is a mere appeal against the non-exercise by one of the Governments in India of a discretion vested in such Government by law or rule.
- (11) When a memorial is an appeal against the action of a private individual or of a body of private individuals regarding the private relations of the memorialist and such individual or body.
- (12) When a memorial is an appeal against orders refusing the grant of a pension to an inferior servant who is not eligible for such grant under the pension rules.

\* "The Governor-General in Council considers that the discretionary power of withholding petitions under clause 8, rule XIII\* of the rules for the submission, receipt

\* Since renumbered clause 7, rule XII.

and transmission of memorials and other papers of the same class addressed to His Majesty the King-Emperor of India, or to the Right Hon'ble the Secretary of State for India, by private persons or by officers of all civil departments should be used with caution, and only after full consideration of the facts in each case. Having regard to the constitution and character of the Indian subordinate services, dismissal of Government officials often involves serious distress, if not actual ruin, to them and it is right that, under such circumstances, every opportunity should be allowed to them of making themselves heard. Further, when, as sometimes happens, their representations reach the Secretary of State through non-official channels, it is convenient that he should be in a position of once to deal with them, instead of being obliged, as may now be the case, to refer for information to this country. Such petitions, therefore, should not be withheld when there is any reasonable prospect of difference of opinion as to the orders passed on them by the Government of India, or when they contain anything to which the attention of the Secretary of State is likely to be especially directed."—[Home Department Resolution No. 1448 (Public), dated 24th September 1890.]

**XIII.**—The Government of India may withhold the transmission of a memorial to His Majesty or to the Secretary of State for India, unless the memorialist has previously memorialized the Government of India and the Local Government concerned on the same subject; and the Government of Madras or Bombay may withhold the transmission of a memorial which under Rule IV they are authorized to forward direct unless the memorialist has previously memorialized the Local Government concerned on the same subject, provided that, when the memorial is one for pardon which no authority in India has power to grant, it should be addressed to His Majesty and forwarded to the Secretary of State for India.

**XIV.**—When a memorial is withheld, the memorialist should be informed of the fact and of the reason for it.

**XV.**—A list of memorials withheld under the discretionary power conferred by Rule XII, with the reasons for withholding them, will be forwarded quarterly to the Government of India in the case of memorials withheld by Local Governments under the same discretionary power, and by the Government of India in the department concerned to the Secretary of State for India.

#### Civil Suits and Prosecutions against Government Officers.

**44.** When a prosecution against an officer of Government is instituted by a public servant, the officer charged will be left to defend himself, but Government will defray his reasonable costs in the event of his being acquitted and it being shown that his conduct throughout had been free from all blame. If, though acquitted of the offence charged, his conduct should appear not to be free from blame, he will receive any such portion, if any, of the cost incurred by him as may seem fitting to the Government.

**2.** In the case of a civil suit or a criminal prosecution instituted by a private person against a public servant for acts done in the discharge of his public duty, the following course will be followed:—

Under the provisions of section 424 of the Code of Civil Procedure, no such civil suit can be instituted until the expiration of two months after delivery of the notice under that section. On receipt of such notice the public servant concerned will at once report to his superior officer all the circumstances necessary to the forming of an opinion on the case. The superior officer receiving such report will, without delay, after making any enquiry that may be necessary, report all the facts of the case, with his recommendation, for the orders of Government, through the usual official channel. Government will pass orders after consulting the Legal Remembrancer, if necessary.

Section 197 of the Criminal Procedure Code lays down a special procedure in regard to criminal prosecutions against certain classes of officers. In those cases there would always be ample time to obtain the orders of Government as to undertaking the defence of the officers, and this should be done. In the case of criminal prosecutions against other classes of public servants, it may ordinarily be impossible to obtain the orders of Government before the commencement of the proceedings before the Court, and, when

this is so, it must rest with the local officers to decide whether the defence should be undertaken by the Government or not. Whenever it is probable, however, that the orders of the Government can be obtained in time, a full report should be at once submitted through the usual official channel. If such orders are received before the commencement of the proceedings, they will be acted on: if not, the local officers should themselves decide upon the course to be taken.

3. Where no appearance is entered on behalf of Government and the suit is dismissed or the accused discharged or acquitted, the case will be dealt with as is provided under Rule 1, allowance being made for the expenses (if any) realizable under the order of Court.

4. It is to be distinctly understood that charges, the payment of which may be applied for under these rules, must be moderate, and that the Government does not bind itself to pay unnecessary expenses which the officer concerned may choose to incur. In petty cases an appearance in person will be often quite sufficient, and where this is so, the employment of a pleader is superfluous. In the same way requests for the payment of Counsel will be entertained only under very exceptional circumstances.

#### RULES REGARDING THE SUBMISSION OF PETITIONS TO THE GOVERNMENT OF INDIA.

NOTE 1.—In these rules the words "Local Government" include a Local Administration and the Commander-in-Chief in India, and also, except as regards petitioners under rule 11(7) whose salary was more than Rs. 30 a month, the Head of a Department directly under the Government of India, and Divisional and Independent Brigade Commanders.

NOTE 2.—These rules do not apply to non-pensionable subordinate clerical and menial establishments employed in the construction and working of State Railways, to whom Circular No. VI-Railway, Public Works Department, dated 1st June 1888, applies.

NOTE 3.—These rules apply, so far as may be, to all memorials, letters and applications, etc., addressed to the Governor-General in Council.

NOTE 4.—These rules apply also to petitions by persons no longer in military employ who have served in the Army or the Royal Indian Marine, or have been attached to regiments or batteries, or the staff or departments of the Army in any capacity.

#### Conduct of Officers.\*

##### *Dealing of Officers with Press.*

45. Some misconception appearing to exist with respect to the power which officers of both services have over the documents and papers which come into their possession officially, the Governor-General in Council deems it expedient to notify that such documents and papers are in no case to be made public, or their contents communicated to individuals, without the previous consent of the Government to which alone they belong.

\* See also *Conduct of Officers'* Pamphlet circulated under cover of Conservator's Circular No. 246, dated the 24th February 1909.

The officer in possession of such documents and papers can only legitimately use them for the furtherance of the public service in the discharge of his official duty, and it is to be understood that the same rule which applies to documents and papers applies to information of which officers may become possessed officially.

The Governor-General does not think it necessary to issue any general order entirely prohibiting the disclosure, without special authority, of any information received officially. In such matters much must necessarily be left to the discretion and intelligence of officers holding places of trust, and in charge of duties more or less important. But His Excellency would impress upon all officers the serious responsibility involved in the exercise of the discretion. Whenever there is any room for doubt as to the right course to pursue, the orders of superior authority should be obtained before information regarding the public affairs is communicated to any one not officially entitled to receive it.

Government of India  
No. 1 C.H., dated 10th December 1878.

(a) No officer of Government, not specially authorized in that behalf, is at liberty to communicate to the Press, either directly or indirectly, information of which he may become possessed in the course of his official duty. A similar professional reticence should be exercised by all officers of Government in their private and unofficial intercourse with non-official persons, and even with officers of Government belonging to other departments. His Excellency the Viceroy and Governor-General does not for a moment intend to debar officers of Government in private life from the same freedom in the discussion of public events which is enjoyed by all His Majesty's subjects; but when an officer has in the course of his duty become possessed of special information not yet made public, he should always be strictly on his guard against the temptation of divulging it, even to other servants of Government, whom these are not officially entitled to his confidence. Irresponsible persons hearing facts of interest mentioned without reserve in the course of general conversation can scarcely be expected to restrain from repeating them to others, and thus giving them a premature and too often a garbled currency.

(b) His Excellency the Viceroy and Governor-General feels sure that he has only to invite the attention of the officers of Government to the importance of this matter to secure their earnest co-operation in putting a stop to such casual and unpremeditated breaches of official confidence. Officers of Government are bound to be as reserved in respect of all matters that may come within their cognizance during the discharge of their public duties as lawyers, bankers, or other professional men in regard to the affairs of their clients.

(c) For the due communication to the Press of such information as may unobjectionably be given to it, departmental arrangements must be made under proper authority.

(a) No officer in the service of Government is permitted, without the previous sanction in writing of the Government under which he immediately serves, to become the proprietor, either in whole or in part, of any newspaper or periodical publication, or to edit or to manage any such paper or publication. Such sanction will only be given in the case of newspapers or publications mainly devoted to the discussion of topics not of a political character, such, for instance, as

Government of India  
No. 18-1134, dated 8th July 1875.



art, science, or literature. The sanction will be liable to be withdrawn at the discretion of the Government.

(b) Officers in the service of Government are not prohibited from contributing to the public Press; but their position makes it incumbent upon them to confine themselves within the limits of temperate and reasonable discussion, and they are prohibited from making public, without the previous sanction of Government, any documents, papers, or information of which they may become possessed in their official capacity. These rules have been hitherto in most cases honourably observed. In case of departure from them, or if the Government should consider the connection of any officer with the Press to be contrary to the public interests, his liberty to contribute will be withdrawn.

(c) The Government of India will decide in case of doubt whether any engagements of officers with the Press are consistent with the discharge of their duties to the Government.

Officers exercising important civil functions are expected to bring to notice anything injurious to the public interest in the operation of any law or system after communicating with the officers of the department concerned.

A member of the Government service is not at liberty to make an attack upon what he knows or believes to be the policy or procedure deliberately approved by the Government. It is no justification of such attack that he is actuated by conscientious motives or has a strong conviction of the correctness of his own judgment. It is improper for any officer to convey to the public, whether in writing, or in a speech, or otherwise, any opinion upon matters of Government policy which are, or are likely to become, the subject of public discussion. It is, of course, inevitable that cases must from time to time occur in which the decisions of Government do not commend themselves to the officers who may have to carry them out. On such occasions the officers in question, after making proper representations to their official superiors, have only two courses open to them, namely, either to acquiesce loyally and silently in the decision of the responsible authorities, or to resign their positions in the service.

#### *Political dealings of Officers.*

46. The Government of India have laid down that "servants of government have not the same liberty of action as private individuals, and are bound to hold themselves aloof from many movements which are perfectly legitimate, and which private persons are free to promote;" and have directed the observance of the following rules as to the attitude which should be maintained by officers in the service of Government towards political or quasi-political movements with which they may be brought in contact:—

- (a) As a general rule, no officer of Government should attend at a political meeting where the fact of his presence is likely to be misconstrued, or to impair his usefulness as an official.
- (b) No officer of Government may take part in the proceedings of a political meeting, or in organizing or promoting a political meeting or agitation.

- (c) If in any case an officer is in doubt whether any action which he proposes to take would contravene these orders, the matter should be referred to the Head of the Department or district and, if necessary, to the Local Government or Administration.

*Complimentary Addresses.*

47. Save as in these rules otherwise provided, all servants of Government, covenanted or uncovenanted, are forbidden to receive complimentary or valedictory addresses in any form, or to accept testimonials of any kind, or to attend public meetings or complimentary entertainments of a formal and public character held in their honour.

2. The Government views with disfavour all similar manifestations in the case of retired officers, when following immediately upon their retirement from active service, and designed as an acknowledgment of acts done by them while in the service of Government.

3. It is not intended to prohibit such an expression of regard for the private or official character of an officer retiring from service, or leaving his station or district, as is involved in a farewell entertainment supported by his personal friends, even though some of these may be his official subordinates. But it is expected that the proceedings on such occasions will be substantially of a private and informal character.

4. Local Governments and Administrations are authorized to forward to an officer who has left a station or district the resolution of any local public body recording a vote of thanks to him for help and advice afforded during his official connection with the station or district.

\* \* \* \* \*

6. Nothing in the above rules is meant to prohibit compliance with the request of a public body that a Government officer should sit for his portrait, bust or statue in recognition of his public services; provided that the portrait, bust, or statue is not intended for presentation to the officer concerned.

7. The participation of Government officers in the raising of funds for the foundation of scholarships, or for procuring a portrait, bust, or statue as a spontaneous recognition of the services of a Government officer is not forbidden; but it should be clearly understood that any solicitation on the part of officers of Government for subscriptions from any person who does not voluntarily come forward to contribute is disapproved by the Government of India.

8. The previous sanction of the Government of India must be obtained to the relaxation of these rules in any special case in which the Local Government or Administration may think this desirable.

*Vindication of Official Conduct.*

48. In a general order of the Government of India in the Foreign Department, dated 15th March 1847, it was laid down that a Government officer is at liberty, if his public conduct in the transaction of his official duties is impugned, "to seek redress through the usual official channel by any appeal to the Government he serves, and that the Government so appealed to will afford him every opportunity of vindicating his character." As the practice in this respect is not uniform in all Provinces, the Governor-General in Council deems it

desirable to prescribe the following procedure, which should be generally observed in future:—

- (i) (a) Without obtaining the authorization of the Government to which he is immediately subordinate, no officer of Government is permitted to have recourse to the Courts for the vindication of his public acts or of his character as a public functionary from defamatory attacks. In giving authority to institute proceedings, the Local Government concerned will decide whether the circumstances of the case are such that the Government should bear the costs of the proceedings, civil or criminal, or leave the officer to institute the prosecution or suit at his own expense; and in the latter case it will also determine, in the event of the matter being decided by the Courts in the officer's favour, whether he should be recouped by Government the whole or any part of the costs of the action.

- (b) The ruling above laid down does not affect an officer's right to defend his private dealings or behaviour in any way that he may be advised; but his official reputation is in the charge of the Government which he serves, and it is for that Government to decide in each case whether the institution of proceedings to vindicate his public acts or character is necessary or expedient.

- (ii) Clause (i) of this rule and rule 3 (a) of this section do not, except indirectly and by implication, prohibit officers from communicating with the public Press in explanation or defence of their official conduct. The Governor-General in Council\* has, however, directed that no officer of Government shall communicate with the public Press in respect of his official conduct or acts without the prior consent in writing of the Local Government under which he is serving.

Circular letter of the  
Government of India,  
Home Department, No.  
30-Public dated 5th  
1870-1880.  
September 1890.

\* Government of India  
No. 1337, dated 29th May  
1890.

#### *Pecuniary Dealings with Subordinates, etc.*

49. (a) All Covenanted Civil Servants, Statutory Civilians, Uncovenanted Officers who hold gazetted appointments and Military Officers in Civil employ are prohibited, under pain of dismissal, from taking loans from, or otherwise placing themselves under pecuniary obligations to, persons subject to the official authority or influence of such Government officers, or residing, possessing property, or carrying on business within the local limits for which such Government officers are appointed.

(b) This prohibition does not extend to transactions in the ordinary course of business with Joint-Stock Banks and British firms.

(c) Any such officer as is referred to in rule (a) who is appointed or transferred to a post in which he will be in a position to exercise official influence or authority over any person to whom he is under any pecuniary obligation, or to a post with local jurisdiction within the limits of which any person to whom he is under any pecuniary obligation,

Government of India's  
No. 1032-40, dated 9th  
June 1897.

resides, possesses property or carries on business, shall be bound to declare, without delay, the circumstances to the officer to whom he is immediately subordinate for report to the Government, and failing to do so shall be subject to the same penalty as if the obligation were incurred after his appointment or transfer.

*Pecuniary Dealings with Natives.*

50. Public servants of all departments are strictly forbidden to have any pecuniary dealings with Natives, whether within their jurisdiction or beyond it, except under the restrictions contained in the four following rules:—

- (a) Whenever a public servant wishes to dispose of a house, bungalow, elephant, horse, or carriage, or other valuable property to any Native within his jurisdiction, or within the limits of the district in which he is employed on the public service, and from which he is not about to remove, he must report his intention to the Local Government to which he is subordinate, stating the facts and circumstances and the price offered for the article to be sold. The Local Government will then pass such orders on the reference as may seem fit and proper.
- (b) Whenever a public servant is about to quit his station or district permanently, or for a considerable period, and wishes to dispose of his house, bungalow, elephant, carriages, and horses, and the like property of value to Native purchasers he shall report his intention to the Commissioner, or the head local authority to which he may be immediately subordinate, and that authority will use its discretion in allowing the transaction, or in reporting the circumstance to the Local Government for further orders.
- (c) Whenever a public servant, on quitting his station or district, wishes to dispose of his furniture, household goods, live-stock, etc., he is at full liberty to do so either by circulating lists of such property amongst the community generally, or by having the same put up to public auction, without reference to any authority whatever. All that is necessary is that the transaction should be open and patent to everybody on the spot.
- (d) Rule (a) is to be considered applicable to purchases equally with sales.

The above rules are not applicable to *bonâ fide* transactions with regular dealers.

*Pecuniary Arrangements, &c., Resignation.*

51. Civil and Military servants of Government are prohibited from entering into pecuniary arrangements with members of the service or department to which they belong in connection with the resignation of any appointment held by them. The Government of India in Notification (General Department) No. 216, dated 9th September 1842, laid down that "on proof of any appointment, civil or military, having been resigned under such circumstances, the nomination consequent on such resignation will be cancelled, and the parties

Circular No. <sup>53</sup>  
8344-73,  
dated 29th December 1893.

concerned suspended the service in Public Orders pending the pleasure of the Hon'ble the Court of Directors."

*Receipt of Presents.*

52. The prohibition of the receipt of presents from Native Chiefs and others does not extend to the receipt of a few flowers or fruits and articles of inappreciable value, although even such trifling presents should be discouraged.

Government of India  
Circular No. 1299 G., dated  
20th June 1870.

The general prohibition extends to all servants of Government, Native or European, covenanted or uncovenanted, in whatsoever department they may be serving.

Where presents cannot absolutely be refused without giving offence, they must be delivered up to Government, and to this rule no exception whatsoever is permissible save with the express sanction of His Excellency the Governor-General in Council, which will only be given under very special circumstances.

[Extract 13, Geo. III., Chapter 63, Section 24.]

XXIV. And be it further enacted by the authority aforesaid, that from and after the 1st day of August 1774 no person holding or exercising any civil or military office under the Crown, or the said United Company in the East Indies, shall accept, receive, or take directly or indirectly by himself, or any other person or persons on his behalf, or for his use or benefit, of and from any of the Indian princes or powers, or their ministers or agents (or any of the natives of Asia), any present, gift, donation, gratuity, or reward, pecuniary or otherwise, upon any account, or on any pretence whatsoever, or any promise or engagement for any present, gift, donation, gratuity, or reward.

[Extract 33, Geo. III., Chapter 52, Section 62 and 63.]

LXII. And be it further enacted that the demanding or receiving any sum of money, or other valuable thing as a gift or present, or under colour thereof, whether it be for the use of the party receiving the same, or for, or pretended to be for, the use of the said Company, or of any person whatsoever, by any British subject holding or exercising any office or employment under His Majesty, or the said United Company in the East Indies, shall be deemed and taken to be extortion and a misdemeanour at law, and shall be proceeded against and punished as such under and by virtue of this Act, and the offender shall also forfeit to the King's Majesty, his heirs and successor, the whole gift or present so received, or the full value thereof.

XIII. Provided always, and be it further enacted, that the Court or jurisdiction before whom any such offence shall be tried, shall have full power and authority to direct the said present or gift, or any part thereof, to be restored to the party who gave the same, or to order the whole or any part thereof, or of any fine which the Court shall set on the offender, to be paid or given to the prosecutor or informer, as such Court in its discretion shall think fit.

*Acquisition and Possession of Landed Property for Agricultural purposes.*

53. Covenanted Civil Servants, Military Officers in Civil employ, and all persons holding civil offices ordinarily held by covenanted or

\* To Secretary of State,  
No. 40, dated 10th June  
1873; from Secretary of  
State, No. 69, dated 20th  
August 1873 (embodied in  
Home Department Resolu-  
tion No. 13-467, dated 13th  
February 1874).

commissioned officers of the two classes above mentioned are prohibited from acquiring or holding land within the province in which they are employed or with the administration of which they are concerned, whether that connection be permanent or temporary.\* This prohibition does not extend to land occupied merely by buildings for residence and their usual appurtenances.

Natives of India appointed under the Statutory Rules are permitted to hold any lands actually in their possession when they enter the service of Government, or which may come into their possession thereafter by inheritance, gift\* or devise, provided that full information in respect of such lands is given to the Local Government, which will consider in each case whether the fact of an officer holding any particular lands need be a bar to his employment in the district where these are situated. No fresh purchase of land is, however, allowed on the part of a Statutory Civil Servant without the previous sanction of the Local Government under which he is serving.†

[NOTE.—This rule is also applicable to natives of India who enter the Indian Civil Service by competition in England. (Home Department Circular No. 19-Public, dated 14th June 1890.)]

Uncovenanted officers exercising independent judicial or revenue functions, whether of European, Eurasian, or native descent, are not debarred from acquiring or possessing landed property in British India for agricultural purposes, provided that they must not hold landed property in the districts in which they are employed. Although uncovenanted officers are not precluded from holding land, it is inexpedient that appointments which necessarily confer a considerable amount of power and influence on their occupants, such as those of Munsif, Deputy Collector, and Tahsildar, should be filled by persons holding landed property within their jurisdiction.‡

Officers (a) of all classes (including candidates for office) must be required to make a declaration (b) of the fact of their being in possession of, or of their having acquired, landed property, stating the district within which it is situated, with such other particulars as may be considered necessary, of which registers should be kept by the Local Governments concerned.§

(a) NOTE 1.—It has been laid down that the expression "officers of all classes (including candidates for office)" applies to all officers in superior service, and covers canal, revenue and water establishments, including patrol. [Home Department No. 19 R.—G36-60 (Public) of March 1890, and No. 1050 G., dated the 24th April 1890, from Government of India, Public Works Department.]

(b) NOTE 2.—It has been ruled that similar particulars must be given of property held by, and managed by, wives of officers or other members of their families living with, and in any way dependent on them; and that the management of such property shall be subject to the same restrictions as that of property belonging to themselves. [Home Department No. 23—2465-14 (Public), dated 11th September 1888.]

It is incumbent on the several Local Governments to take care that no officer who may be in possession of landed property in British India or elsewhere, to whatever branch of the service he may belong, shall apply any portion of the time and attention which ought to be devoted to the public duties, whether Civil or Military, to the management of that property, and that longer or more frequent leaves of absence are not permitted on that account.||

\* i.e., bond fide gifts from relatives or near friends.

† Home Department Resolution No. 11—426-37, dated 17th March 1892, and circular letter No. 26—1095-1101, dated 21st July 1892 (Despatch from Secretary of State, No. 68, dated 8th June 1892).

‡ Despatch from Secretary of State, No. 22, dated 10th August 1891.

§ Despatch from Secretary of State, No. 22, dated 10th August 1891.

|| Despatch from Secretary of State, No. 22, dated 10th August 1891.

*Investments other than those in Lands for Cultivation.*

54. With regard to investments other than those in land for the

§ Despatch from the Government of India to Secretary of State No. 49, dated 16th June 1873; Despatch from Secretary of State, No. 97, dated 20th August 1873; and Home Department Resolution No. 13-107, dated 13th February 1874.

\*\* The Secretary of State has held (a) (a) Despatch that the No. 73, dated standing 19th July 1883, orders as paragraph 6, to the connection of

Government officers with trading companies apply only to gazetted officers of the Governated and Un-governated services, and do not apply in the case of clerks and other ministerial officers in Government employ, with regard to whom the supervision of heads of departments should suffice as a check.

\* N B—The right of officers Civil and Military, to hold shares in agricultural companies operating in Native States is regulated by the same rules as apply to their holding shares in similar companies within British territory.

Despatch from Secretary of State, No. 21, dated 25th November 1862, paragraph 6.

† Despatch from Secretary of State, No. 46, dated 13th May 1893.

‡ To Madras Government, No. 1092, dated 10th July 1894.

§ Despatch from Secretary of State, No. 73, dated 19th July 1883, paragraph 1.

( Paragraph 4 of Despatch from Secretary of State, No. 73, dated 19th July 1883.

\* From Secretary of State, No. 60, dated 7th September 1873.

\*\* Resolution of the Public Works Department, No. 11630-672 G, dated 14th December 1892.

†† Despatch from Secretary of State, No. 73, dated 19th July 1883.

the purpose of mutual supply, and not of trade and trade profit (provided in this latter case that the interests of Government do not suffer by the double employment of the officer concerned). Although the prohibition against taking part in the "management" of a company cannot, taken literally, be held to debar an officer from taking part as a promoter, or as one of the applicants for registration in the Memorandum of Association, the Governor-General in Council has held that the danger against which the prohibition was aimed, namely, that of official influence being abused or official trust betrayed, is, under such circumstances, not much less than if the officer took part in the management

profits of cultivation, officers of every rank and class in the public service are expected to abstain from any investment (though of itself unobjectionable) which interests them privately in affairs or undertakings of the kind with which their public duty is connected.¶ Subject to this general proviso, there is no objection to Government\*\* servants holding shares in mining or other companies (including agricultural companies) having for their object the development of the resources of the country, provided that they must not take part in the management of any such company, and that they must not be employed in the districts where the operations\* of the company with which they may be connected are carried on.† This latter prohibition must be held to apply sometimes with less, sometimes with greater, force to certain officers connected with the Central Administration, such as members of the Local Government, Members of the Board of Revenue and their Secretaries; and to indicate the necessity of great circumspection on the part of such officers as to the undertakings with which they become connected in any part of the Province in which they are employed.‡

In the matter of taking part in the management of a company, it has been decided§ that the prohibition was not intended to apply to the participation of Government officers in the direction of those companies only which are designed to develop the resources of the country, but also to preclude such officers from taking part in the direction of such institutions as banks.¶ (a) It has also been held that the prohibition against officers taking part in the management of a company applies¶ to public servants on leave equally with those in active service, but that it does not extend\*\* to officers who, with the consent of the Government of India, take service under Railway Companies working under concession from Government, nor does it apply to the management†† of associations which are established *bona fide* for

after the company has been started. Government servants are therefore distinctly forbidden to take any part in the promotion or registration of companies.

#### *Speculations generally.*

55. It is a standing order that servants of Government are required to abstain from speculative investments; but no literal definition has been laid down as to the stage at which, or the circumstances under which, the holding of land or other valuable property becomes speculative. It is obviously speculative to secure a grant of land supposed to be *auriferous*, with the object of disposing of it hereafter to companies. Habitual speculation by

\* Paragraph 7 of Despatch to the Secretary of State, No. 40, dated 16th June 1873. Despatch from the Secretary of State, No. 99, dated 28th August 1873.

The Government of India consider that there exists an essential difference between permanent and speculative investments; that the distinction is one of motive, and that the frequency of a man's purchases and sales may be, and usually is, very good evidence of motive in effecting them. If an officer habitually buys and sells securities of a value notoriously fluctuating, it is clear that he is addicted to speculation, and he thereby undoubtedly lays himself open to the disapproval of Government, which can be expressed in various ways, and in a degree proportionate to the nature of the dereliction. If he engages in such pursuits to an extent which attracts public notice and unfavourable remark, so that his integrity or his application to his public duties is discussed and doubted, then he has given rise to a scandal with which the Government will have to deal.

officials has been always held to be an evil; and the Government has reserved\* to itself full power to deal stringently with the practice whenever it appears to prevail. The general distinction which exists between permanent and speculative invest-

ments is sufficiently described in the extract given in the margin from Home Department letter to the Government of Bengal, No. 1495, dated 10th April 1873.

#### *Indebtedness of Subordinates.*

56. The Government of India have decided that it should be obligatory on native public servants to disclose to Government their indebtedness to individuals resident in districts to which they may be under orders of transfer. Although section 6 of Bengal Regulation VII of

Bengal Government  
No. 5757 J., dated 25th  
November 1896.

(a) NOTE.—The Secretary of State has decided that the standing orders regulating the connection of Government officers with Banks and Trading Companies apply to all gazetted officers of Government, and that no such officer holding a permanent appointment under Government, whether pensionable or not, shall be permitted to serve as a Director of any Bank or Public Company without previous reference to him.

The Secretary of State has also decided that the Solicitors to Government at Calcutta, Madras, and Bombay may be permitted to serve as Directors of Banks and of Companies so long as the public service in no way suffers, and the interests of the Banks or Companies are not antagonistic to those of the Government and that the like rule may be applied to Government Pleaders, District Registrars, Crown Prosecutors and Coroners.

[*Vide* Despatches from the Secretary of State, No. 25 (Financial) dated 7th February 1889, and No. 53 (Public), dated 14th May 1891.]

The orders prohibiting Government servants from becoming Directors of Public Companies do not apply to non-gazetted and ministerial officers in Government employ, in whose case it is expected that the supervision of heads of departments and offices will suffice as a check. It must, however, be distinctly understood that Government can at any time prohibit any extra employment which in its opinion it is undesirable that its servants should undertake.

[*Vide* Despatch from Secretary of State, No. 73 (Public), dated 19th July 1889.]



1823, which contains directions in the matter, is only applicable to covenanted servants of Government, the principle is one which should, in the opinion of the Supreme Government, be extended to uncovenanted native officers also; and the Lieutenant-Governor therefore desires that the responsibility of such officers in this respect may be distinctly explained to them.

(b) I am to observe further that excessive indebtedness of public officers to tradesmen is a very serious disqualification for Government service; but that, while it is not desired ordinarily to interfere in matters connected with trade debts, it will be within the discretion of District Officers and Heads of Departments to report to Government cases in which the degree of indebtedness is such as to threaten to give rise to a public scandal.

### *Insolvency.*

57. In reply to a question submitted by the Government of Bombay, whether a public declaration of insolvency on the part of Civil Servants is to be regarded as a disqualification for office, or to be visited by Government with any marks of its disapprobation, the Court of Directors said :—

“We have no hesitation in giving it as our decision that such a declaration of insolvency as is involved in a resort to the Insolvent Debtor's Court for relief is quite incompatible with the maintenance of that high character for independence which we regard as essential in those filling offices of trust and authority in our service. We direct, therefore, that, in the event of any one of our Civil Servants at any time availing himself of the means afforded by the Court to obtain relief from his liabilities, he be suspended from public employment, and his case forthwith reported to us for final orders. These views are of general application.”

Despatch from the Court of Directors, No. 18, dated 22nd March 1854, published in Home Department Notification No. 181, dated 20th January 1885.

### *Authority of Commissioner as regards Conduct of Officers.*

58. There are many cases in which the authority of the Commissioner may be usefully exercised. They are cases in which the interference of the Lieutenant-Governor is to be deprecated, until it is found that the Commissioner's authority is ignored, questioned or defied. The following are examples of such cases :—

(1) *Cases of personal misconduct.*—This may be illustrated by reference to drinking or gambling, whereby a man may be ruining himself, proving a source of annoyance and offence to his brother officers and others, and impairing his efficiency as a public servant. It may be also illustrated by graver cases of immorality, contrary to the recognized interests of the Service, and constituting a public scandal.

(2) *Cases of undesirable relations between officers.*—These may be illustrated by quarrels that lead to friction, discourteous action, and disregard of the interest of other Departments. The duty of co-operation and friendliness between officers should be insisted on.

(3) *Cases of improper treatment of the people.*—This may be illustrated by the discourtesy shown habitually, though often thoughtlessly, by some officers towards Indian gentlemen visiting them, and harsh,

passionate, and ungentlemanly treatment of subordinates and others. It may also be illustrated by the pernicious habit a few officers have of constantly borrowing carriages, horses, etc., belonging to wealthy Indians with whom they have official dealings. The very occasional borrowing of such articles temporarily and on an emergency is reasonable. But habitually to be under obligation of this kind so as practically to appropriate another's property is unseemly.

## CHAPTER VI.

## MISCELLANEOUS.

## Arms and Ammunition.

1. The Government of India having sanctioned the supply of Martini Henri rifles to the Divisional Officer, Sundarbans Division, for distribution among the subordinates working in the forest on account of the prevalence of man-eating tigers, the following rules have been prescribed for the care and custody of rifles and for the receipt and issue of ammunition:—

Bengal Government,  
Revenue Department No.  
505 T—II., dated the 10th  
June 1910.

*Rules regarding the Care and Custody of Rifles and Ammunition supplied to Forest Department, Bengal.*

1. Registers in the forms attached shall be kept in duplicate of all arms and ammunition of all kinds in use in the Sundarbans Division. One copy of each Register shall be kept by the Head Clerk, and the other copy by the Tour Deputy Ranger accompanying the Divisional Forest Officer's launch. This officer shall be in charge of all arms and ammunition until such have been distributed to other officers for use, and shall be responsible that all such arms are kept clean and in good order. All rifles in his charge shall be kept under lock and key.

2. Rifles, and ammunition for them, shall be distributed to Government officers only.

3. Receipts shall be given and taken when such a distribution is made and in case of the transfer of any arms or ammunition from one officer to another.

4. No rifles shall be lent to wood-cutters or traders.

5. The Register shall be submitted to the Divisional Forest Officer on the 1st of every month by the Tour Deputy Ranger.

6. Transfers of rifles from one officer to another shall be notified to the Divisional Office at Khulna; and such notice shall be forwarded to the Tour Deputy Ranger in order to enable him to correct his Register after an entry has been made in the Divisional Office Register. Entries in the two Registers shall be compared monthly by the Divisional Forest Officer.

7. Officers in charge of arms shall be responsible that they are kept clean and in good order. Arms must be cleaned at least once a week and on each occasion they are used, as soon as possible after firing. Officers shall be responsible for the safe custody of all arms and ammunition in their charge.

8. All losses of rifles shall be reported to the Conservator of Forests with a full explanation of the occurrence, and an annual statement showing the distribution of all rifles shall be submitted to the Conservator of Forests, with the return of stores, tools and plant.

9. All officers supplied with ammunition shall be responsible for the return of the empty cartridge cases, of which a strict account must be kept. Empty ball cartridge cases shall be returned to the Ordnance Officer, Fort William, by the Divisional Forest Officer in multiples of 600, that is, the number contained in each box of ammunition supplied. Empty blank cartridge cases may be returned in any number.

10. The Divisional Forest Officer is generally responsible for the care of the Government rifles allotted to the Division and for their distribution among the forest establishment.



*Register of Rifles.*

1	2	3	4	5	6	7	8	9
Authority of Government of India under which supplied.	No. of rifle.	Date of receipt from Arsenal.	Name and design- ation of officer to whom issued.	Date of issue.	Date of return.	Condition of rifle.	Date of return to Arsenal.	REMARKS.
No.	Date.							

## Seeding of Bamboos, etc.

2. Whenever a seeding year (which should be watched for) of any species save the commonest\* occurs, at least 10 lbs. of the seed should be collected, and intimation of this having been done sent to the Inspector-General of Forests, who will advise the Conservator concerned how to dispose of the seed and, if necessary, give instructions for the collection of a further quantity.

Government of India  
No. 201F,  
74-1, dated 1st March  
1899.

\* *Dendrocalamus strictus*  
and *Hamiltonii* and  
*Bambusa arundinacea*.

Inspector-General of  
Forests' Circular No. 29,  
dated 31st October 1893.

The occurrence of a good seed year of any of the more important kinds of trees or bamboos in every Forest Division should be reported to the Editor of the "Indian Forester."

## Barbed Wire.

*Use of Barbed Wire Fencing prohibited on Public Roads.*

3. The practice of erecting barbed wire fencing alongside public roads and paths is considered dangerous, and the use of such fencing on Government property is prohibited.

Bengal Government  
Circular No. 2 T. M., dated  
21st October 1899.

## Construction of Forest Buildings.

4. The cost of buildings constructed for use as residences for the undermentioned class of subordinates should not, without the special sanction of Government, exceed the following amounts :—

Government of Bengal  
Revenue Department letter  
No. 1003, dated the 21st  
February 1905.

(a)	If the building is intended to accommodate a Ranger or Subdivisional Officer	Rs. 1,250
(b)	Ditto a Deputy Ranger, Forester, or other officer on a pay of not less than Rs. 15 and not more than Rs. 50 a month and in charge of a beat or of a revenue or checking station	750
(c)	Ditto a Forest Guard or any other subordinate on the executive side drawing less than Rs. 15 a month	300
(d)	Ditto do for ministerial-officers	500

## Hire of Buildings for Office Accommodation.

5. When necessary the Conservator may rent ordinary office accommodation within the following limits :—

- (1) When the accommodation is provided in a separate building—  
Rupees 100 a month.

Bengal Government Reso-  
lution No. 1840 Ex., dated  
the 14th March 1905.

- (2) When the accommodation is provided in a building partly used as a private residence—one-half the total rent, subject to a maximum of Rs. 45 a month.

### Recovery of Rent of Government Buildings.

6. The rules relating to the construction or purchase of buildings for the residence of Government officials and to the assessment of rents are governed by sections, 1041 to 1080 of the Public Works Department Code Volume I,—*vide* India's Circular No. 9, Public Works, dated 6th August 1900; Bengal Public Works Department Circular No. 22B., dated 14th September 1900 (see Conservator's Circular No. 292, dated 12th December 1900). Under these rules rent which is assessed by Superintending Engineers must be paid for the occupation of any residential building owned by Government.

#### *Exceptions.*

2. Forest subordinates, including Forest ministerial officers, in receipt of salaries not exceeding Rs. 50 a month are exempted from payment of rent for their occupation of Government buildings in which they are obliged to live for the convenience of their work.

Government Order  
No. 1003, dated the 24th  
February 1905.

The above concession is extended to Rangers of all grades.

India No. 686  
80-3 F., dated the  
23rd May 1905.

In the case of clerks drawing less than Rs. 100 but not less than Rs. 50 a month rents are limited to 5 per cent. of their pay.

Government Order  
No. 2104 T.-R., dated the  
4th August 1905.

Bengal Public Works  
Department Circular  
No. 24 A., dated the 20th  
October 1905.

Government Order  
No. 2307, dated the 8th  
November 1905.

When an officer continues to occupy a house after it has been purchased by Government for official residence, rent should be recovered at the rate paid to the former landlord subject to the usual limit of 10 per cent. on the salary and local allowance of the officer occupying the house, pending the approval of Government to the rent assessed by the Superintending Engineer.

### Precautions against Fire in Buildings.

7. No buildings with roofs composed of thatch or other inflammable material should be constructed within a radius of 50 yards of a building constructed of permanent materials.

Bengal Government, Public  
Works Department Circular  
No. 1 T.-B., dated 20th May  
1905.

The limit of 50 yards is fixed as a minimum, not because it is considered that this limit will confer absolute immunity from fire risks, but because it is thought to be the utmost limit that can conveniently be enforced in every case, taking into consideration the area of land usually attached to public buildings.

Where circumstances admit, inflammable buildings or those of a temporary nature should be placed at a greater distance than 50 yards from permanent buildings, more especially in the case of court-houses, or record buildings, or other buildings of a valuable nature.

## Economic Products.

8. Economic products, whether plants or not, should be described by the scientific name adopted in the official "Dictionary of the Economic Products of India," either used alone or written in brackets after any English or Vernacular name which may be employed. In the case of plants not being economic products, the nomenclature established by Sir Joseph Hooker's "Flora of British India" should be used.

## Hire of Government Elephants used by Officers.

9. When Government elephants are used by an officer for the carriage of articles for which, if they were carried on a cart, he would have to pay the hire of that cart, a charge of Rs. 2 per diem shall be made for each elephant so used; but when used partly for private and partly for official purposes, as, for instance, where an elephant carries personal luggage as well as articles, the property of Government, Rs. 1 per diem shall be charged for each elephant. When an officer goes out on inspection or other such duty in tracts where it is impossible for him to travel except on an elephant, no charge at all need be made for that elephant.

## Information of Interest.

10. Passages in periodical reports and other publications of the Forest Department containing information which would be of interest or value to the commercial community should be brought to the notice of the Reporter on Economic Products to the Government of India at Calcutta by the local head of the department.

## Kasauli—Pasteur Institute.

*Rule regarding the grant to Government servants of concessions designed to enable them, when bitten by a rabid animal, to proceed to the Pasteur Institute at Kasauli or Coonoor for treatment.*

11. I.—Any Government servant who has been bitten by a rabid animal, and who is too poor to proceed to Kasauli or Coonoor at his own expense, may, provided that he is drawing not more than Rs. 100 a month, be granted—

- (i) His actual travelling expenses\* to Kasauli or Coonoor and back, namely—(a) a single fare each way by railway of the class by which he is entitled to travel on duty; (b) for journey by road, the actual cost of transit, and for journeys by river and ocean steamer the actual cost, not exceeding the amount admissible under rule. The expenses for the return journey should be paid to the patient at Kasauli or Coonoor, after the treatment has been undergone, by the Treasury Officer at those stations on production of a discharge certificate from the Director of the Institute.

*Vide Government of India No. 623, dated the 18th June 1907.*

\* See rules for the adjustment of travelling expenses &c attached to Government of Bengal Circular No. 81 Madl, dated 19th December 1900.



- (ii) An advance of one month's pay.
- (iii) One month's casual leave.

But should the absence of the officer necessitate the appointment of a substitute, the period of absence up to one month should be treated as extra privilege leave, and not as casual leave.

Government of Bengal  
Circular No. 10Medl., dated  
the 28th January 1909.

NOTE.—“Extra privilege leave” is subject to all the restrictions which govern ordinary privilege leave which an officer has earned, i.e., privilege leave cannot be granted until after the expiry of 6 months from the date of an officer's return to duty from extra privilege leave.

Government of Bengal  
Circular No. 11—T., Medl.,  
dated the 2nd July 1909.

II.—Any Government servant who has a difficulty in finding at once the means to enable him to proceed to an institute, and whose pay exceeds Rs. 100 but does not exceed Rs. 500 a month, may be granted an advance not exceeding the amount admissible under Rule I (i), and may also be given the concessions specified in I (ii) and (iii) above. The sums thus advanced will be recovered by instalments on the usual scale.

But in cases in which an enforcement of the ordinary rule would cause hardship, these instalments may be recovered in more than three but not more than twelve instalments.

Government of Bengal  
Circular No. 60Medl., dated  
the 13th August 1909.

III.—When a member of the family of a Government servant drawing not more than Rs. 500 a month is bitten by a rabid animal and he has difficulty in finding at once the means of sending him or her to Knsauli, he may be granted an advance not exceeding the actual travelling expenses (as defined in the existing rules) of the person there and back *plus* one month's pay. The advance will be recoverable by instalments in accordance with the orders contained in paragraph 2 of the Home Department letter No. 696—706, dated the 29th June 1908.

Government of Bengal  
Circular No. 8—T., Medl.,  
dated the 2nd May 1909.

IV.—Divisional Forest Officers are empowered to grant these concessions in respect of their own subordinates.

Circular No. 5T.—  
Medl., dated 4th June  
1907.

V.—The Government of India have decided that Government servants drawing not more than Rs. 25 a month may be granted, maintenance allowance at the rates of daily allowance to officers of the 3rd and 4th classes under Article 1063 of the Civil Service Regulations, for the period they are under treatment.

Government of Bengal  
Circular No. 203Medl., dated  
the 10th July 1909.

VI.—Women, children under 16 years of age and men who are, by reason of age or other sufficient cause, incapable of travelling alone may be allowed an attendant to accompany them to the institute, any such attendant being granted—

Government of India  
No. 863, dated 9th August  
1907.

- (i) travelling expenses and maintenance allowance at the rate sanctioned for patients; and
- (ii) wages, not exceeding 4 annas a day, in cases where the despatching officer is satisfied that the patient is unable to pay the daily expenses of the attendant.

## Grant of Rewards for the destruction of Tigers and Alligators.

12. In modification of all previous orders regarding the payment of rewards for tigers and tiger cubs in the district of the 24-Parganas or Khulna, with the exception of those contained in Resolution No. 854J., dated the 28th January 1905 (below), empowering Commissioners of Divisions to sanction certain rewards, it is hereby notified that a reward of Rs. 200 shall be offered either by the Forest Department or the Civil Department for each full-grown tiger or tigress and of Rs. 40 for each tiger cub, that is, a tiger or tigress of less than six feet in length, proved to have been killed in the district of the 24-Parganas or Khulna and in respect to which there is no reason to believe that a reward has already been given by the State on a previous occasion.

2. The Deputy Commissioner of Singhbhum may sanction the grant of rewards up to Rs. 200 in each case for the destruction of tigers within thanas Kolhan, Monoharpur, and Chakradharpur in the Singhbhum district, the offer of each reward to hold good for a period not exceeding six months.

3. The payment of rewards for tigers killed within the Forest Division of Singhbhum will be made by the Deputy Commissioner on the recommendation of the Divisional Forest Officer, Singhbhum.

4. Commissioners of Divisions have power to sanction rewards up to Rs. 500 for the destruction of man-eating tigers provided that the amount can be met from the district budget allotment.

5. Magistrates of districts have power to sanction rewards up to Rs. 50 for the destruction of man-eating alligators.

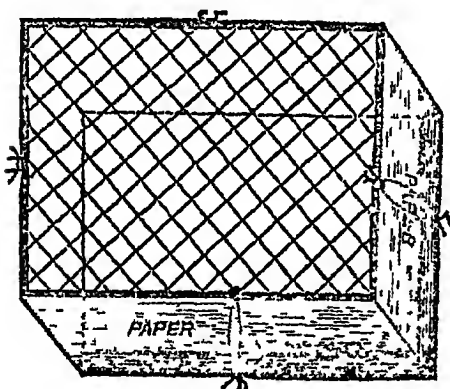
Note on the best methods of collecting, drying, and mounting Botanical Specimens by the Reporter on Economic Products.

13. The paper used by me for botanical drying purposes is the ordinary jail-made paper before it has been polished or sized. I believe that that paper is procurable at any Indian jail. The kind used by me was obtained from the Lahore Jail at a price of between Rs. 7 to Rs. 8 per ream of 480 sheets. This quantity should last for a good many years, so long as the plants are not allowed to remain in it till rotten. This is prevented by changing the paper every alternate day, and by exposing it to the sun it is again dried. By this process the moisture is sucked completely out of the plants; but the process should be continued till they become quite dry and brittle, instead of being flaccid. If a single half-dried plant be stowed away along with others completely dry, in a week's time the whole package will be rotten. When once completely dry, they will keep indefinitely. To ensure their not being eaten by insects, they should be painted over with a saturated solution of corrosive sublimate in spirits of wine. This not only saves them from being eaten by insects, but it also prevents the partial re-absorption of moisture incident to a damp climate from resulting in the formation of destructive mould or fungus growth.

## 2. As to the best process for—

- (a) pressing, and  
(b) mounting.

(a) I rarely use more pressure than is necessitated by tying up bundles of paper with plants between each sheet or two. For this purpose I construct iron wire frames, or simple bamboo frames like the accompanying sketch. Between two iron or bamboo frames (each a little larger than the paper) I tie, with four strings, a bundle of



paper half a foot thick. When going into the jungles, I take one of these bundles with me. When collecting a plant, I cut off a twig with flower or fruit and one or two good leaves attached. I open the frame and place the twig, two or three sheets from the bottom, taking care to open out or flatten down the specimen as well as possible before closing the paper over it. I turn

one leaf of the specimen up, for example, to show the upper surface, and the other down to show the lower; and, placing the hand under the next sheet or two of paper, I hold the plant in the required position as the frame is being closed. But on collection I attach a numbered ticket at once to each specimen, giving the date, locality, and native name, together with any notes as to its being a tree, climber or herb, as having flowers of this colour and that shape, etc. I then close the frame and march on. This system of numbering and recording on the spot as each specimen is collected I accomplish by having a pocket diary, in which I enter the notes, and to the specimens I simply assign the continuous diary number. When I come to another required plant, I cut off a twig and place it as before in the frame, leaving two or three sheets of paper between it and the former, and also place it to left or right of the page, as the case may be, so as to prevent the first and the second specimens pressing over each other. If this be not attended to, thick woody specimens will crumple or break delicate things above or below them, so that they will dry in an irregular shape, instead of flat. On coming home, I give my press to a peon and order him to change the specimens into fresh paper and tie them up in frames, each containing not more than 20 specimens. These frames, two and two against each other, are exposed to the sun, and each day or alternate day the paper is changed until the specimens are quite dry. The same paper after being dried may be used over and over again. Boards might be employed instead of frames, but these do not so readily allow of the escape of moisture. All the pressure that is necessary is obtained by tying the frames firmly together, i.e., enough pressure to prevent the specimen curling while drying.

(b) As to mounting—a stiff paper of good quality is required, such as drawing paper. The accepted size is  $10\frac{1}{2}$  by 17 inches. To mount the specimens, get a pot of ordinary glue, prepare a thin solution and keep hot on the fire. Place the specimen face downwards on a newspaper and paint with glue completely over the surface of every leaf, twig, etc. Raise it up carefully and place the glued side downwards on the sheet of mounting paper. When thus laid out on the sheet of mounting paper, by means of a damp, clean cloth press or daub down all over the surface and wipe off any glue that may have escaped at the margins of the leaves, etc. Then place the mounted sheets each between pieces of newspapers; make a pile, and lay on the top a board and a weight; leave in this position for a day or two to let the glue set, then remove. If the ends of the mounted specimens are thick, paste small bands of paper,  $\frac{1}{4}$  inch in breadth, across, in order to prevent them from jumping off the mounting sheet. To complete the process, paint all over the plant with the poison solution. As this will dry in, there is no disadvantage if in doing so the paper for an inch or so all round be poisoned also.

3. It would be a good plan for Forest Officers to preserve in their own offices a duplicate of all collections made by them, and these might be mounted as above described. The first specimen collected should be numbered No. 1, and, if a dozen samples of it are collected, all should bear No. 1. Again, if its gum be collected, that should bear No. 1 also. So with regard to its fibre, its medicine, etc. Sometimes a plant is too large, and then sections have to be made—one to represent the flower, another the fruit, and a third the leaf; but each of these sections should bear No. 1. In a like manner the next plant collected should be treated, every part of it bearing No. 2. But the greatest care should be taken to see that the parts collected are parts of the same plant: all should, if possible, be taken off one and the same individual tree. Species are often so nearly allied that without special botanical knowledge they cannot be distinguished. If the same thing as No. 1 be collected from another locality, or during another season, give it a further number (the next diary number); but the descriptive note should say that it is suspected that it is the same as No. 1, or that it is cut from the same individual tree as No. 1.

4. Having dried thoroughly a batch of plants, taking the greatest care that what is only partially dry is not set aside as dry, place a specimen in one sheet of newspaper, with its tickets, etc., complete, and close in the ends of the paper by doubling over an inch or so. This prevents the specimens from falling out of their places. Then give a sheet or two without specimens in them. The next sheet with specimens; but arrange these specimens so that they will, if possible, cover the entire page. Were each specimen packed in the middle of the page, the bundle would become convex, and in tying it up the dry, brittle plants would be broken. The specimens should be so distributed that the bundle will remain quite flat. Place on top and bottom of the bundle a thin plank or pasteboard. Tie up securely, then sew into oilcloth, or pack in a small water-proof box and despatch by post or train.

5. Should it be necessary for me to ask Forest Officers for further samples of any one specimen or for any information, I shall simply quote their numbers; and in furnishing the report I shall say No. 1 is so and so, No. 2, and so on. It is, therefore, not necessary that

Forest Officers should trouble themselves as to the scientific names of the plants (unless they so please); but in giving me the vernacular names, it is essentially necessary that they should be printed. In spelling native names, the Hunterian system should be followed, more especially with the vowels. Information as to the uses of the plants would be most valuable, *e.g.*, whether they yield a gum, a dye, or a fibre; whether the leaves, root, etc., are used as a medicine and for what medicinal purpose; whether the seeds afford oil, etc., etc. Should Forest Officers find the time to record and communicate such information, the method adopted in preparing and utilising the product might be added.

6. In collecting specimens for the Reporter on Economic Products to the Government of India the fact whether they were collected in the field or purchased, the name of the town or village where they were grown, collected or purchased, and the price, if they were purchased, should be noted and reported to that officer.

7. "The Committee hopes that it will be impressed upon those who collect specimens of forest products, and specially wood specimens, that such specimens are quite worthless unless they have been botanically identified with accuracy. Recent experience in the examination of wood specimens received from the Indian Forest Department through the Superintendent of the Royal Botanic Gardens, Calcutta, has shown that this is by no means always the case. It is essential then when products, including woods, are prepared for transmission to those who will investigate them, they should be accompanied by botanical specimens obtained from the very same plant, and vouched for by officers of experience and responsibility. If the collection is left to subordinates, there is danger of carelessness, and this leads to waste of money and time.

*Note*—1. Such specimens when there is a danger of breakage should be packed in cases and not in canvas (Vide Government order No. 2762, dated 27th July 1908.)

2. Does not necessarily apply to Commercial samples supplied to mercantile firms. (Inspector-General of Forests' Circular No. 9, dated the 29th October 1891.)

## APPENDICES.

## CHAPTER I.

## APPENDIX 1.

## FORM A.

*Security Bond to be executed by Sureties of Vendors of Forest Stamps.*

Whereas A. B., Conservator of Forests, Bengal, has agreed to appoint C. D. to be [or has agreed to retain C. D. in the appointment of] a Licensed Vendor (or whatever be his official designation) in the Forest Division of \_\_\_\_\_:

And whereas the said C. D. has been called upon to furnish security for the due discharge of his duties and obligations as a Licensed Vendor in the Forest Division of \_\_\_\_\_ and for the indemnity of the said A. B. or his successors in office as representing the Department of Forests, Bengal, against loss from or by reason of any act or default of the said C. D.

Be it known that I, E. F., son of \_\_\_\_\_ residing at \_\_\_\_\_ am held and firmly bound to the said A. B. or his successors in office as representing the Department of Forests, Bengal, in the sum of Rs. \_\_\_\_\_, to be paid to the said A. B. or his successors in office or to such person as he or they may appoint in this behalf, for which payment to be well and truly made I bind myself, my heirs, executors and administrators by these presents.

The condition of this obligation is such that if the said C. D. shall truly and faithfully perform his duties as a Licensed Vendor and carry out all orders and instructions issued by the Department of Forests for his guidance, and shall at all times account for, render and deliver in such manner and to such person as he may by the said A. B. or his successors in office be required, all stamps and monies and property whatsoever which he may receive or be entrusted with or which may come into his possession by virtue of his office as such Licensed Vendor, and shall not embezzle, withhold, destroy or in any way damage any such monies, stamps and property, as aforesaid, and further shall indemnify the said A. B. or his successors in office as representing the Department of Forests, Bengal, of and from all and every loss or damage which may at any time happen to or be sustained by the Department of Forests, Bengal, by, from or through the means of the neglect, failure, misconduct, disobedience of orders, omission or carelessness of the said C. D., or any of his agents or servants or any other persons or persons acting under his orders or instructions, then the above written obligation shall be void, otherwise the same shall remain in full force and virtue.

I, E. F., further covenant that I shall have no power to terminate my suretyship except upon giving to the said A. B. or his successors in office for the time being six calendar months' notice in writing of my intention so to do, and my liability under this bond shall continue in respect of all omissions and defaults on the part of the said C. D. until the expiration of the said period of six months.



## APPENDIX I.

## FORM C.

## Forest Stamp Indent.

Indent No.

dated

Description of stamps.	Number of stamps indented for.	ISSUED.			Certificate of issue of stamps and acknowledgment of value received by Treasury Officer.	
		Number.	VALUE.			
			Rs.	A.		P.
50 Rupees Stamp	...				I hereby certify that I have issued the stamps herein indented for, and acknowledge that I have received their value as noted below :  Rs.   A.   P.  Gross value ... Deduct discount or commission ... Net value received ...  Treasury Officer.	
15   "   "	...					
10   "   "	...					
5   "   "	...					
4   "   "	...					
3   "   "	...					
2   "   "	...					
1   "   "	...					
12 Annas   "	...					
8   "   "	...					
7   "   "	...					
6   "   "	...					
5   "   "	...					
4   "   "	...					
3   "   "	...					
2   "   "	...					
1   "   "	...					
9 Pies   "	...					
6   "   "	...					
3   "   "	...					
Total	...					

I hereby certify that I have issued the stamps herein indented for, and acknowledge that I have received their value as noted below :

Rs. A. P.

Gross value ...

Deduct discount or commission ...

Net value received ...

Treasury Officer.

Indenting Vendor's Name—

Number—

Station—

Designation—

Received stamps and commission as above.

Indenting Vendor.



## APPENDIX 1.

## FORM D.

*License Vendor's Stamp Ledger.*

Month.	Date.	OPENING BALANCE		RECEIPTS.		TOTAL.		ISSUES.		BALANCE.		Remarks.
		Total number of stamps.	Total value.	Total number of stamps.	Total value.	Total number of stamps.	Total value.	Total number of stamps.	Total value.	Total number of stamps.	Total value.	
1	2	3	4	5	6	7	8	9	10	11	12	13
			Rs.		Rs.		Rs.		Rs.		Rs.	



## APPENDIX 1.

## FORM E:

*Statement of Receipts and Issues of Forest Stamps in the \_\_\_\_\_  
Division for the month of \_\_\_\_\_*

Opening balance with License Vendors and Forest Officers.	MOVIE'S TRANSACTIONS WITH TREASURY.				Total of columns 1 and 5.	Issued by License Vendors.	Closing balance of License Vendors and Forest Officers.	REMARKS.
	Re- ceived from Treas- ury on pay- ment.	Receiv- ed as advan- ces.	Refund- ed to Treas- ury.	Net receipts (a) + (b) — (c).				
Value. A.	Value. (a)	Value. (b)	Value. (c)	Value. B	Value.	Value. C	Value. D	
1	2	3	4	5	6	7	8	9
								For meaning of symbols A B, C, D, see Rules 16 and 23 on pages 127 and 128.





## APPENDIX II (a).

[See Rule 5(2), page 131.]

*Prospecting License for Mica.*

AN INDENTURE made the \_\_\_\_\_ day of \_\_\_\_\_ 191\_\_\_\_ Note. All blank spaces must be filled up on this form before signature.  
 BETWEEN THE SECRETARY OF STATE FOR INDIA IN COUNCIL hereinafter called the Secretary of State (which expression is intended to comprise as well the Secretary of State for India in Council as his successors in office and assigns unless the context shall be repugnant to such construction) of the one part and \_\_\_\_\_ of hereinafter called the licensee (which expression is intended to comprise as well the said

as his executors administrators and assigns unless the context shall be repugnant to such construction) of the other part WHEREAS the licensee has applied in accordance with the rules proscribed by the Government for the granting of prospecting licenses to the Collector of \_\_\_\_\_

for a license to prospect for mica in the lands specified in the Schedule marked A hereunder written and has submitted to the said Collector a certificate signed by a Secretary to the Local Government showing that the license has been approved by the said Local Government and has also deposited with the said Collector as security in respect of such license the sum of Rs. \_\_\_\_\_ being the sum determined by the said Collector for that purpose as required by the said rules AND WHEREAS the said Collector has found that there is no objection to granting the said license NOW THIS INDENTURE WITNESSETH as follows:—

In consideration of the rent and royalties covenants and agreements hereinafter reserved and contained on the part of the licensee to be paid and observed the Secretary of State doth hereby grant and demise unto the licensee the sole right and license (subject to the conditions hereinafter contained)—

- (1) To enter upon the lands described in the said schedule A and to mine quarry bore dig search for win and work all or any mica lying or being within under or throughout the said lands without any interruption claim or disturbance from or by the Secretary of State or any other person or persons whomsoever;
- (2) to carry away and dispose of the mica the produce thereof to and for the use and benefit of the licensee;
- (3) for the purposes aforesaid to clear undergrowth and brushwood and (with the sanction of the Collector previously obtained in writing) to make and use any drains or water-courses on the said lands for clearing the from any water which may flow or accumulate therein;
- (4) and with the like sanction to erect and bring upon the said lands all such temporary huts sheds and structures steam and other engines machinery and conveniences chattels and effects as shall be proper and necessary for effectually carrying on the prospecting operations hereby licensed or for the workmen employed therein.

Reserving nevertheless to the Secretary of State full power and liberty at all times to enter into and upon and to grant or demise to any person or persons whomsoever liberty to enter into and upon the said lands for all or any purposes other than those hereby expressly conferred upon the licensee and particularly (and without hereby in any way qualifying such general power and liberty) to make on over or through the said lands such roads tramways and railways as shall be considered necessary or expedient for any purposes and to obtain from and out of the said lands such stone earth or other materials as may be necessary or requisite for making repairing or maintaining such roads tramways and railways and to pass and repass at all times over and along such roads tramways and railways for all purposes and as occasion shall require.

To HAVE AND TO HOLD the said right and license and all and singular other the promises hereby granted and demised with their appurtenances unto the licensee from the date of this license for and during the term\* of

\* One year or such shorter period as the licensee may desire.

RENDERING AND PAYING therefor free and clear from all rates taxes charges and deductions the rent of Rs. payable in advance on the execution of these presents and also a royalty of 5 per cent. on the value of all mica won and carried away by the lessee from the said lands subject to the right of the licensee to win use and take free of royalty for the purpose of experiment the quantity mentioned in Schedule B hereto.

The licensee doth hereby covenant with the Secretary of State as follows:—

1. The licensee will pay to the Secretary of State the said rent and royalty and will work and carry on the undertaking and operations hereby licensed in a fair proper orderly skilful and workmanlike manner and with as little damage as possible to the surface of the said lands and to the trees crops building structures and other property thereon.

2. He will not win or carry away or attempt to win or carry away anything from or out of the said land except mica or win or attempt to win any mica except in such manner as the said Collector may approve.

3. He will not enter upon or commence prospecting in any reserve forest included in the land specified in the Schedule marked A hereunder written without days' previous written notice to the District Forest Officer nor without obtaining the sanction in writing of that officer upon such conditions as such officer may in his absolute discretion prescribe.

4. He will not enter upon any lands in the occupation of any person without the consent of the occupier, nor without the consent of the owner thereof cut or in any way injure any trees standing crops or buildings huts or other structures or property of any kind of any occupier of the said lands or any part thereof or of any other private person.

5. He will make and pay reasonable satisfaction and compensation for all injury which may be done in the exercise of the powers conferred by this license and will whenever the said security deposit or any portion thereof or any further sum which may be deposited shall be applied as hereinafter mentioned forthwith deposit such further sum with the said Collector as may be required to bring the amount for the time being deposited up to the required sum of Rs.

6. He will at all times indemnify the Secretary of State against all claims or suits which may be made or brought by third parties in respect of any such damage and injury and against all costs and expenses relating thereto.

7. He will not cut or injure any timber or tree on any unoccupied or unreserved land without the permission of the said Collector in writing.

8. He will not grant or assign any interest under this licence to any person or persons or company without the previous consent in writing of the Local Government.

9. He will well and truly measure and weigh or cause to be measured and weighed upon some part of the said lands all mica which shall be so won as aforesaid for the purpose of ascertaining the amount of royalty payable in respect thereof at  
 State how often,      least      in every

and as many other times as occasion may require and days' notice in writing of every such measuring and weighing shall be given to the said Collector in order that he or some persons on his behalf may be present at such measuring and weighing and attend to the proper conduct thereof and no part of the said mica shall on any account be taken away from the said lands until the same shall so have been measured and weighed.

10. He will ascertain in such manner as the Local Government may from time to time prescribe the value of all precious stones and of all other minerals ores and metals won dressed or extracted which may be required to be valued for the purpose of ascertaining the amount of royalty payable in respect thereof.

11. He will upon the expiration or sooner determination of this license or the abandonment of the undertaking hereby licensed whichever shall first occur with all convenient speed remove all such buildings structures engines machinery and other property and effects erected or brought by him upon the said lands under the provisions thereof.

12. He will within six months after the expiration or sooner determination of this license or the date of the abandonment of the said undertaking whichever shall first occur securely plug all bores and fill up or fence all holes and excavations that he may have made in the said land to such extent as the said Collector may require and will to the like extent restore so far as may be to their natural or original condition the surface of the said lands and all buildings and structures thereon which he may have damaged in the course of prospecting.

#### POWERS OF GOVERNMENT.

1. If the licensee shall at any time refuse or neglect to observe or perform all or any of the conditions herein mentioned and on his part to be observed and performed the said Collector may by notice in writing signed by him and delivered to the licensee or left at the lands for which this license is given summarily declare that the license hereby granted shall thenceforth determine and thereupon the license and all rights and liberties conferred hereby or enjoyed hereunder shall forthwith determine without prejudice to the rights and remedies of the Secretary of State in respect of any prior breach or non-performance of all or any of the conditions hereof on the part of the licensee and except in respect of the covenants on the part of



the licensee herein mentioned to be performed after the expiration or sooner determination of this license or after the abandonment of the undertaking hereby licensed.

2. It shall be lawful for the said Collector at all times to apply the said security deposit of Rs. or any portion thereof or any further sum which may be deposited under the provisions herein contained in making good and satisfying the claim of any third parties in respect of any damage or injury abovementioned done by the licensee and also in indemnifying the Secretary of State against any claims by any such third parties in respect of any such injury or damage and all suits and proceedings instituted against the Secretary of State for or in respect of any such damage or injury and all costs and expenses relating thereto.

3. Provided that upon the determination of this license or of any renewal thereof the amount for the time being in deposit with the said Collector or so much thereof as shall not be required by the said Collector to be applied as above mentioned shall if the licensee shall become the lessee of any mining lease of the said lands or any portion thereof under the provisions hereinafter contained be carried to his credit as part of the rents payable under such lease or if he shall decline or fail to obtain any such lease as aforesaid then the same shall be returned to the licensee. Provided also that if the Collector has reason to anticipate that any such claims as aforesaid are likely to be made by third parties he may retain the amount of the said security or such portion thereof as he may think proper for a period not exceeding six months beyond the determination of this license or any renewal thereof as aforesaid.

#### COVENANT BY THE SECRETARY OF STATE.

THE SECRETARY OF STATE hereby covenants that if upon the expiration by effluxion of time of the term hereby granted the said Collector is satisfied that the licensee has been prevented from completing his search of the said lands by any cause other than his own default then the said Collector may at the request and cost of the licensee in writing renew this license for such further term not exceeding two years as the licensee may desire from the expiration of the term hereby granted subject to the like conditions in all respects as are herein contained except this covenant for renewal AND also that on or before the determination of this license the licensee shall have a right (subject to the rules prescribed by the Government for granting mining lease and provided that the Local Government is satisfied that the prospecting operations hereby licensed have been of a *bona fide* character) to a mining lease in accordance with the terms contained in the said rules of so much of the said lands not exceeding the area specified in the said rules and upon such conditions as the Governor-General in Council may think fit.

#### ARBITRATION CLAUSE.

If at any time during the continuance of this license or after the determination thereof any question or dispute shall arise regarding this license or any matter or thing connected herewith or the powers or duties of the licensee hereunder or the amount or payment of any rent

or royalty then and in all such cases the matter in difference shall be decided by the Local Government whose decision shall be final. In witness whereof the said parties hereto have set their hands hereto the day and year first above written.

Signed by  
for and on behalf of the  
acting in the premises for and on  
behalf of the Secretary of State for  
India in Council in the presence of }

Names and addresses  
of witnesses. }

Signed by the above named  
in the presence of }

Names and addresses  
of witnesses. }

#### SCHEDULE A.

Here insert description of land  
with area boundaries names of  
District, Sub-district Thana, etc. }

#### SCHEDULE B.

Here insert quantities which  
may be taken free of royalty. }

*Note.*—The parties must sign  
against the end of the schedules. } Witnesses.

#### APPENDIX II (b).

[See Rule 11, page 134.]

#### *Standard form of Leases for Mica Mines\**

THIS INDENTURE made the       day of       190       BETWEEN  
THE SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter called the  
"Lessor" which expression shall where the context so admits or  
requires include the said Secretary of State for India in Council and  
his successors in office and assigns) of the one part and  
(hereinafter called "the Lessee" which  
expression shall where the context so requires or admits include  
the said

his heirs executors administrators represen-  
tatives and assigns) of the other part WITNESSETH that in consideration  
of the rent and Lessee's covenants hereinafter reserved and contained  
the Lessor doth hereby demise unto the Lessee the mines beds veins  
and seams of mica mentioned and described in the first part of the  
schedule hereunder written together with the liberties powers and  
privileges in connection with the working of the said mines which are  
mentioned in the second part of the said schedule

\* N.B.—This form has been drawn up for the Koderma mines in Hazaribagh. When a lease is being prepared for mines not in Koderma the few necessary verbal alterations should be made. They are marked by italics in this standard form.

To HOLD the said mines beds veins and seams of mica intended to be hereby demised unto the Lessee from the                      day of                      for the term of                      years thence next ensuing yielding and paying to the Lessor the rent or sum of money mentioned and specified in the third part of the said schedule or the *ad valorem* royalty to be substituted therefor under the proviso contained in that part of the said schedule and the Lessee doth hereby covenant with the Lessor as in the fourth part of the said schedule is expressed and the lessor doth hereby covenant with the Lessee as in the fifth part of the said schedule is expressed and it is hereby mutually agreed and declared by and between the parties hereto as in the sixth part of the said schedule is expressed and it is declared that the schedule hereunder written shall be deemed part of these presents and be read and construed accordingly.

IN WITNESS whereof the said parties have hereunto set their hands and seals the day and year first above written.

Signed sealed and delivered by for  
and on behalf of the  
acting in the premises for and on behalf of the Secretary of State for India  
in Council in the presence of

Signed sealed and delivered by  
the above named                      in  
the presence of

THE SCHEDULE above referred to.

## PART I.

### THE MINES DEMISED BY THIS LEASE.

The mines beds veins and seams of mica lying and being within  
Description of mines.                      and under the land situate lying and being in  
the *Koderma Government Estate* in thana *Koderma*,  
in the district of *Hazaribagh*, within the jurisdiction of the *Burhi*  
Sub-Registry, which lands comprise an area of                      aeres or there-  
abouts marked on the ground as noted in the particulars annexed  
hereto and indicated approximately by the squares lettered and numbered as  
follows viz.

on the map No. 478. 1903 printed by the  
Surveyor-General of India.

## PART II.

### RIGHTS AND PRIVILEGES TO BE EXERCISED OR ENJOYED BY THE LESSEE BUT SUBJECT TO THE RESTRICTIVE COVENANTS IN PART IV.

1. Liberty and power at all times during the term hereby granted  
Liberty to work the mines.                      to search for dig mine and work the said  
mines and to win and get therefrom all mica  
the produce thereof.

2. Liberty and power to dig sink drive make repair and use all such pits shafts drifts levels water-gates water-courses air-gates and other works as may be necessary or proper for searching for mining working and getting mica from the said mines and for ventilating and draining the same.
3. Liberty and power to appropriate and use for any purpose connected with the working of the said mines the water upon or within any of the said lands and to collect and impound the same in ponds reservoirs or otherwise for the purpose of working the said mines, but so that in the exercise of this privilege the Lessee shall not deprive any lands villages houses or watering places for cattle of a reasonable quantity of water as before accustomed and shall not in any manner foul impregnate or otherwise deteriorate any springs or streams of water or ponds or tanks upon or adjoining the said lands.
4. Liberty and power to enter upon use and occupy a sufficient part of the said lands adjoining any pits sunk by the Lessee in pursuance of the powers vested in him by these presents for the purpose of depositing and heaping thereon the produce of the said mines and the earth soil and other substances dug up and brought to the surface in or about the working of the same.
5. Liberty and power to take load and carry away over the said lands the mica to be gotten as aforesaid under the liberties and powers herein before granted and to dispose of the same at his own will and pleasure.
6. Liberty and power to erect set up and make in upon and over the said lands workmen's houses sheds engines machinery furnaces buildings erections railroads tramroads and other roads and works necessary or convenient for the effectual working of the said mines and the exercise of the several liberties and powers hereinbefore granted.
7. Liberty and power to search for dig and get gravel sand and stone within the said lands for any of the purposes mentioned in the second part of this Schedule, but not for sale and also to dig for and get clay and to make and burn the same into bricks for any of the purposes aforesaid, but not for sale.
8. Liberty and power to cut and clear away any undergrowth including herbaceous plants and shrubs or trees less than one foot in girth at four and a half feet from the ground now standing or growing or which during the term hereby granted may be standing or growing in or upon the said lands and which may interfere with the due exercise of the liberties and powers hereinbefore granted.

## PART III.

## RENT RESERVED BY THIS LEASE.

The yearly rent payable hereunder shall be Rs. such rent  
 Certain half-yearly rent. to be paid free from all deductions by equal half-yearly payments on the day of  
 in each year for the half-year immediately preceding and the first of such half-yearly payments to be made on the day of.

next Provided always that it shall be lawful for the Local Government on behalf of the Lessor at any time during the continuance of this demise if in their absolute discretion they shall see fit and upon giving to the lessee two years' previous notice in writing under the hand of the District Officer for the time being to reserve such an *ad valorem* royalty in respect of the mica which shall be gotten from the said mines as the Local Government may determine in substitution for the said rent hereinbefore reserved and made payable. In the event of the reservation of such an *ad valorem* royalty as lastly abovementioned the method of calculating the quantity and value of mica in respect of which such royalty shall be paid and all matters in connection with the assessment and payment of such royalty shall be decided by the Local Government at the time when the reservation of royalty is made and the lessee hereby covenants to be bound by any such decision as last aforesaid. Any such *ad valorem* royalty shall be payable in like manner and at the same times as are hereinbefore provided in respect of the said rent hereinbefore reserved.

## PART IV.

### THE LESSEE'S COVENANTS.

1. The Lessee shall pay at the times and in the manner above appointed in that behalf the rent reserved by this lease or shall pay any *ad valorem* royalty that may be reserved by the Lessor acting through the Local Government under Part III hereof. He shall also pay and discharge all taxes rates assessments and impositions whatsoever being in the nature of public demands which shall from time to time be charged assessed or imposed upon the said mines or any part thereof by authority of the Government of India or the Local Government or otherwise except demands for land revenue and shall also pay interest at the rate of  $6\frac{1}{2}$  per cent. per annum on all arrears of such rent or royalties from the due date thereof.

2. The Lessee shall in the exercise of any of the liberties and powers hereinbefore granted to him as mentioned in Part II of this schedule in all respects comply with all instructions and directions which may be given to him by the Local Government or by such officer as may be authorized by them in that behalf and shall conform in all respects to all requirements of the Local Government or such officer as aforesaid in connection with the exercise by him the Lessee of the liberties and power lastly abovementioned or any of them.

3. The Lessee shall at his own expense forthwith erect and at all times maintain and keep in repair to the satisfaction of the Local Government boundary marks and pillars at all external corners of the group of squares specified in Part I of this schedule.

4. The Lessee shall within twenty-four months from the commencement of the term hereby granted start and work the mines beds veins and seams of mica in and under at least one quarter in number of the said squares to the satisfaction of the Local Government and shall thereafter at all times

during the continuance of this lease with reasonable continuity work for and as far as possible obtain mica from or out of the whole of the said lands and shall not abandon or discontinue working any mine that shall have been opened without the consent of the Local Government under the hand of some officer duly authorized in that behalf but shall maintain in good repair working order and condition and work all mines when opened without voluntary intermission in a skilful and workmanlike manner and upon the most approved principle without doing or permitting to be done any unnecessary or avoidable damage to the surface of the said lands within or under which the said mines lie and shall not cultivate or use the said lands in any manner save for the purposes of this demise and the rights and liberties hereby granted.

5. The Lessee shall well and properly secure and keep open with timber or other durable means to the satisfaction of the Local Government all pits and shafts to be sunk or made in the said lands and shall make and maintain to the like satisfaction sufficient fences round every such pit or shaft and also shall at all times during the said term keep the said mines except abandoned mines as far as possible free from water and from foul air.

6. The Lessee shall on notice from the Lessor under the hand of the duly authorized officer of the Local Government strengthen and support to the satisfaction of the Local Government any part or parts of any mine when in the opinion of the Local Government such strengthening and support is needed for the safety of any railway reservoir canal or other public work or any building whether the said railway reservoir canal or other public work or building shall be existing during the working of such part or parts of any mine as aforesaid or shall be constructed after the said part or parts of any such mine have been worked out. If in the opinion of the Local Government any such strengthening and support as aforesaid shall be rendered necessary for the safety of any railway reservoir canal or other public work or other building aforesaid already existing at the time of the working of the said part or parts of any mine by reason of the Lessee having conducted mining operations within the limits prohibited by clause 8 of this part then and in such case the cost of such strengthening and support shall be borne and paid by the Lessee but in all other cases the cost shall be borne and paid by the Lessor and in the former event the decision of the Local Government as to the amount of such cost shall be final and conclusive as against the Lessee.

7. The Lessee shall not erect or cause to be erected any building or other erection or permit any surface operations of any kind whatsoever to be carried on upon any place of worship sacred grove burial ground site of any house village site public road or other place in respect of which on public grounds it shall appear to the Local Government that objections exist to so doing nor shall erect any building or other erection or carry on surface operations in such a way as to injure or affect any buildings or other works property or rights of private individuals nor shall take or occupy any land for surface operations if the same is already in the occupation of and used by persons other than the Lessor for other works or purposes not included in this present demise if any other lands not so occupied and used are in the opinion of the Local Government

Not to erect buildings or work mines on certain sites.

suitable and convenient and equally available for such surface operations: Provided always that nothing hereinbefore contained shall prohibit the Lessee from making his own arrangements with the persons other than the Lessor occupying any portion of the surface of the said lands as to the erection of buildings or other erections or the carrying on of surface operations upon any such portion of said surface. Provided always that in erecting any such buildings or other erections or in carrying on any such surface operations as lastly above-mentioned the Lessee shall comply in all respects so far as the same are applicable with the terms of this present lease.

8. The Lessee shall not carry on or permit to be carried on any mining operations or working on or under the said lands within 50 yards of any railway reservoir canal or other public works or any building whether now or hereafter to be constructed or erected or within 50 yards from any inhabited site *as shown on the map No. 47 S., 1903, printed by the Surveyor-General of India* or from any other site which at any time during the said term shall be held or decided by the Local Government to be or constitute an "inhabited site" whether such railway reservoir canal public works buildings or "inhabited site" be situated upon the said lands or not except with the previous permission of the Governor-General in Council or any official duly authorized by him in that behalf and subject to any instructions restrictions and conditions which may be attached to such permission by the Governor-General in Council or the official granting the same. Provided always that in the case of a railway reservoir or canal the said distance of 50 yards shall be measured horizontally from the outer toe of the bank or the outer edge of the cutting as the case may be and in the case of a public building or other building or "inhabited site" the said distance of 50 yards shall be measured horizontally from the plinth of the building.

9. The Lessee shall not divert any road path or by-way on the said lands or any water-course or stream beyond the same and in the event of his utilising or diverting any water running waste on the said lands the same shall be returned by him on or before the expiration of this present demise to its natural channel within the limits of the said lands. Save as provided in clause 8 of the second part of this schedule the Lessee shall not remove cut down or in any manner injure any trees or timber on the said lands save with the express permission of the District Officer or if the lands are situated in a reserved or protected forest the Divisional Forest Officer and upon such terms and conditions as that officer may prescribe.

10. The Lessee shall permit the Lessor and his officers agents servants and workmen duly authorized in that behalf at all reasonable times during the said term to enter upon and inspect and examine all works which shall be carried on by the Lessee under the liberties hereinbefore granted and the Lessee and all persons employed by him shall render every assistance in their power to the Lessor and his said duly authorized officers agents servants and workmen in conducting such inspection and shall afford them all such information as they may reasonably require in connection with the working of the said mines AND ALSO shall and will from time to time and at all times during the

said term hereby granted conform to and observe all orders regulations and requirements which the Lessor or the Local Government as the result of any such inspection as aforesaid or otherwise may from time to time see fit to impose upon the Lessee in the interests of the public health and safety or otherwise in connection with the working in the said mines.

11. The Lessee shall (subject as in clause 14 of this part mentioned) permit the Lessor and any other persons To permit Lessor and others authorized by him to work other minerals. authorized by him in that behalf to enter into and upon the said lands and to search for dig work and get any minerals or substances other than mica in upon or under the said lands and for the purposes last aforesaid to sink make erect and use such pits shafts levels drains water-courses reservoirs tunnels buildings engines or machinery canals railways wagon ways and other ways works and conveniences upon through or under the said lands as shall be necessary or expedient PROVIDED ALWAYS that the powers reserved to the Lessor by this clause shall be exercised and enjoyed in such manner as not to hinder or interfere with the rights and privileges of the Lessee under these presents more than is unavoidable and provided also that fair and proper compensation shall be paid by the Lessor to the Lessee for all loss damage or injury which the Lessee may sustain or be put to by reason or in consequence of the exercise of the aforesaid powers the amount of such compensation to be settled in case of difference by reference to the Local Government whose decision thereon shall be final and binding against the Lessee.

12. The Lessee shall permit the Lessor and any other person or persons authorized by him in that behalf to enter To permit Lessor and others authorized by him to make roads, etc. into and upon the said lands and to make upon over or through the same or any part thereof such roads tramways and railways as in the opinion of the Local Government shall be necessary or expedient for any purposes whatsoever and to obtain from and out of the said lands such stone earth and other materials as may be necessary or requisite for making repairing or maintaining such roads tramways and railways and to pass and repass at all times over and along such roads tramways and railways for all purposes and as occasion shall require.

13. The Lessee shall without delay send to the District Officer a To report accident. report of any accident which may at any time occur at or in the said lands or at or in any pit shaft or mine which for the time being shall be in or upon such lands.

14. The Lessee shall at all times upon finding any mineral or product other than mica in or upon the said lands To report finding of other minerals. immediately report such finding in writing to the District Officer and shall give full particulars of the nature and position of each find and shall within one calendar month after the date of making any such find as aforesaid notify in writing to the Collector of the district whether or not he is desirous of working such newly found mineral or product and in case the Lessee shall be desirous of working the same the Local Government shall with all reasonable speed notify to him the terms upon which they are willing to permit him so to do and if the Lessee shall fail within one calendar month from the receipt of such notification to forward to the Local Government an acceptance in writing of such terms as aforesaid or if the Lessee shall in the first instance notify to the District Officer that



he is not desirous of working such newly found minerals or products then and in either of such cases it shall be lawful for the Lessor to permit any person or persons other than the Lessee to win work get and carry away such newly found mineral or product in accordance with the provisions of clause 11 of this part.

15. The Lessee shall at all times during the said term keep or cause to be kept at the office or counting house of the works to be situate in or contiguous to some part of the said lands correct and intelligible books of account upon such plan or principle and in such form as may be approved of by the Local Government which books shall contain accurate entries of (1) the quantity of mica raised and brought to bank from the mines in *each of the abovementioned squares* (2) *the quantity of dressed mica of each class obtained from all or such part of the said squares as shall be worked by him* (3) the quantity of mica purchased by the Lessee and the name of the vendor and (4) the number of persons employed in the said mines together with all such particulars of weights quantities dates sales and other facts as may in the opinion of the Local Government be necessary or proper for conveniently ascertaining the amount of the royalty from time to time payable under these presents and the manner in which all mica gotten by the Lessee has been disposed of and shall also at his own expense furnish to such officer as the Local Government may from time to time direct and at such times as the Local Government may appoint true and correct abstracts of all or any of such accounts and returns and shall at all reasonable times allow such officers or person as the Local Government shall in that behalf appoint to enter into and have free access to the said office or counting house for the purpose of examining and inspecting the said several books of account and to take copies thereof and make extracts therefrom and shall keep his accounts relating to mica obtained from mines belonging to the Lessor separate from any accounts relating to mica obtained from any mine or mines not belonging to the Lessor.

16. The Lessee shall if required by the Local Government so to do at all times during the said term cause to be made and kept at the said office or counting house true and correct and intelligible plans and sections of the said mines which plans and sections shall show as well the operations and working which have been carried on as also all veins faults and other disturbances which have been observed and encountered in such workings and operations and all such plans and sections shall be made amended and filled up by and from actual surveys which the Lessee shall cause to be made for that purpose at the end of every period of twelve months computed from the date of the commencement of the said term and the Lessee shall at his own cost furnish to the Lessor or the Local Government true and correct copies of such plans and sections when thereunto required.

17. The Lessee shall weigh or cause to be weighed at his factory or other place approved by the Lessor or the Local Government all mica *possessing a commercial value obtained by him from or out of any of the said squares* and shall at the end of each day cause the total weight of the mica gotten from *each square* during the previous 24 hours and weighed as aforesaid to be entered in the aforesaid book or books of account.

18. The Lessee shall permit the Lessor and such person or persons as may be authorized by him or by the Local Government in that behalf at all times during the said term to examine and test each and every weighing machine or machines to be provided and kept by the Lessee as aforesaid and the weights used therewith in order to ascertain whether the same respectively are correct and in good repair and order and if upon any such examination of testing any such weighing machine or weights shall be found incorrect or out of repair or order the Lessee shall on being called upon in writing by the Lessor or the Local Government or by such person or persons aforesaid so to do at his own expence adjust repair and put in order the same and if the Lessee shall fail to adjust repair and put in order any weighing machine or weights within fourteen days after he shall have been so required to do as aforesaid it shall be lawful for the Lessor or the Local Government to cause any such weighing machine or weights to be adjusted repaired and put in order and to recover the expense of so doing from the Lessee and if upon any such examination or testing as aforesaid any error shall be discovered in any weighing machine or weights to the prejudice of the Lessor such error shall be considered to have existed for three calendar months previous to the discovery thereof or from the last occasion of so examining and testing the same weighing machine and weights in case such occasion shall be within such period of three months and the rent and royalties if any payable by the Lessee shall be paid and accounted for accordingly. PROVIDED ALWAYS that in any such case in which any weighing machine or weights shall be found on such inspection as aforesaid to be incorrect or out of repair the Lessee shall not use or permit the same to be used without the consent of the Local Government until the same shall have been corrected or repaired to the satisfaction of the Local Government or of such officer as they may appoint in that behalf.

19. The Lessee shall not assign or underlet the mines beds veins and seams of mica hereby demised or any part thereof or the rights and privileges hereby granted or any of them to any person or persons or company without the consent in writing of the Lessor under the hand of a Secretary to the Local Government.

20. The Lessee shall employ throughout the said term a duly accredited and competent manager or agent to superintend the working of the said mines.

21. The Lessee shall (save in respect of any mine as to which the Local Government shall have sanctioned abandonment either on account of the same having been worked out in the ordinary and fair course of working or for any other reason) at the end or sooner determination of the said term deliver up to the Lessor in good order repair and condition and fit for future working all mines which have been or may be made or sunk by the Lessee under the license and liberty in that behalf hereinbefore contained together with all pits shafts water-courses air-gates and levels and together with such engines and fixtures below ground level as cannot in the opinion of the Local Government be moved without causing injury to the said mines.

22. The Lessee shall forthwith if so desired by the District Officer or by the Divisional Forest Officer at his own cost clear away cut down and remove all trees wood grass leaves sheds huts and inflammable material generally which may be on or within the space of 30 feet in width forming the outer boundary on all sides of the said lands so that the outer part of the said space of 30 feet shall be conterminous with the outer boundary of the said lands, and the Lessee shall keep clean and clear the whole of such space during the months from February to June inclusive of each year the intention of this covenant being to guard against risk of fire spreading. The Lessee shall also at all times at once give to the Forest Officer in charge of the forest a full description in writing of any timber or tree which shall be injured or destroyed by him.

NOTE:—  
 { This clause to  
 be used only  
 if the area  
 leased is with-  
 in a protected  
 or reserved  
 forest.  
 Clearing of a 30-feet belt.

23. The Lessee shall make and pay reasonable satisfaction and compensation for all injury which may be done by him his agents and servants in exercise of the liberties and powers hereby granted to the property and rights of third parties and shall at all times save harmless and keep indemnified the Lessor from and against all actions suits claims and demands by such third parties in respect of any such injury.

24. The Lessee shall within six calendar months from the expiration or other sooner determination of this demise remove or cause to be removed from the said lands all such machinery utensils implements articles and things above ground level which shall have been set up by him and used in and about the working of the said mines and all such buildings ovens kilns sheds huts railways tramways and other works above ground level and also such fixtures and works below the ground level other than those which in the opinion of the Local Government cannot be moved without doing injury to the said mines which shall have been erected or constructed by him and shall be then standing upon or under the said lands as the Lessor shall not be desirous of purchasing under the provisions of clause 4 of Part VI of this schedule and if the Lessee shall fail to remove or cause to be removed the said buildings and works within the period of six calendar months then and in such case the same shall become and be the absolute property of Government and the Lessee shall not be entitled to receive any payment or compensation in respect thereof.

To pay compensation for injury to third parties.

To remove buildings not required by Government.

## PART V.

### THE LESSOR'S COVENANTS.

1. That the Lessee paying the rent or royalty hereby reserved or to become payable hereunder and observing and performing the covenants and provisions herein contained and on his part to be observed and performed shall and may peaceably and quietly hold and enjoy the said mines beds veins and seams of mica hereby demised for and during the term hereby granted without any lawful interruption from or by the Lessor or any person rightfully claiming from or under him.

For quiet enjoyment.

2. The Lessor shall permit the Lessee at any times or time within six calendar months after the determination of this demise whether by effluxion of time or otherwise to enter into and upon the said lands or any part thereof for the purpose of taking down removing and disposing of for his own use and benefit all such machinery utensils implements articles and things above ground level which shall have been set up by him and used in and about the working of the said mines and all such buildings ovens kilns sheds huts railways tramways and other work above ground level and also such fixtures and works below ground level other than those which in the opinion of the Local Government cannot be moved without doing injury to the said mines which shall have been erected or constructed by the Lessee and shall be then standing upon or under any of the said lands as the Lessor shall be undesirous of purchasing in pursuance of the power vested in him in that behalf contained in clause 4 of Part VI of this schedule.

To permit the Lessee to remove machinery, etc.

## PART VI.

### GENERAL PROVISIONS.

1. If the rent or royalty hereby reserved or to become payable hereunder or either of them or any part thereof respectively shall be behind and unpaid for the space of two calendar months next after any of the days whereon the same ought to be paid then and so often as the case shall happen the Lessor may enter into and upon the said lands which shall for the time being be occupied by the Lessee for the purposes of this demise and into and upon the said mines beds veins and seams of mica or any of them and may seize and distrain all or any of the stock of mica engines plant live and dead stock and things which shall be found in or upon the same premises and the same may take lead drive carry away impound detain and keep until the rent or royalties which shall then be due and all cost and expenses occasioned by the non-payment thereof shall be fully paid and satisfied.

2. If the rent or royalty hereby reserved or to become payable hereunder or either of them or any part thereof respectively shall be behind or unpaid for the space of six calendar months next after any of the days whereon the same ought to be paid as aforesaid and whether the same shall have been legally demanded or not or if the Lessee shall commit any breach of any of the covenants and conditions hereinbefore contained and on his part to be observed and performed then and in either of such cases it shall be lawful for the Lessor at any time thereafter and although he may not have taken advantage of some previous default or breach or covenant on the part of the Lessee into and upon the said mines beds veins and seams of mica or any part thereof in the name of the whole to re-enter and the same to have again and repossess and enjoy as of his former estate.

3. If after the expiration of [ ] from the commencement of the said term the Local Government find that the area of unworked squares shown on the said map or portion of partially worked squares remaining unworked exceeds three

Further power of re-entry.

*times the area of worked squares and portions of squares already worked* then and in such case it shall be lawful for the Lessor into and upon the said mines beds veins or seams of mica or any part thereof in the name of the whole to re-enter and the same to have again repossess and enjoy as of his former estate.

4. If at the end or sooner determination of the said term the Liberty to Lessor to purchase works at end of term. Lessor shall be desirous of purchasing all or any of the machinery utensils implements articles and things above ground level which shall have been set up by the Lessee and used in and about the working of the said mines and all or any of the buildings ovens kilns sheds huts railways tramways and other works above ground level and also such fixtures and works below ground level other than those which in the opinion of the Local Government cannot be moved without doing injury to the said mines which shall have been erected or constructed by the Lessee and shall be then standing upon or under any of the said lands and shall signify such his desire by notice in writing on his behalf to the Lessee six calendar months at least before the expiration of the said term (or if the said term shall be determined under the power of re-entry hereinbefore contained at any time within three calendar months after such determination of the said term) the Lessee shall sell to the Lessor all or any of the said machinery articles buildings and other works as abovementioned at a price which shall be fixed or ascertained by taking the net cost of such buildings or works as at the date of construction and deducting therefrom for depreciation the estimated amount of such depreciation which may have taken place since the time of erection and in case of any dispute as to the amount of any such deduction as last aforesaid the decision of the Local Government shall be final and binding against the Lessee.

5. If at any time during the continuance of this demise the said Right of Lessee to determine lease if mines destroyed by act of God. mines beds veins or seams of mica shall be so injured or destroyed by fire tempest or flood or by the violence of an army or mob or other irresistible force as to be rendered substantially and permanently unfit for the purposes of this demise then and in such case the Lessee shall be at liberty by notice in writing to the Lessor to determine this demise provided that if the injury or destruction aforesaid be occasioned by the wrongful act or default of the Lessee or his servants or workmen he shall not be entitled to avail himself of the benefit of this provision AND PROVIDED ALSO that if this demise shall be determined by the Lessee under the terms of this clause it shall be without prejudice to the rights and remedies of the Lessor under or by virtue of these presents for the recovery of any rent or royalty which may then remain unpaid or in respect of any breach which may have been committed of any of the covenants herein contained and on the part of the Lessee to be observed and performed or to the right of purchase by the Lessor under clause 4 of this part.

6. The Lessee shall be at liberty at any time or times during the Power to surrender. said term to surrender to the Lessor the whole of the said mines beds veins or seams of mica hereby demised or any part thereof on showing to the Collector of the district such reasons therefor as the Collector may consider to be good and satisfactory and on paying to the Lessor all rent dues royalties compensation for damage and other monies which may then be due

and payable under these presents to the Lessor or any other person or persons for or in respect of or in connection with the mines beds veins or seams of mica so surrendered and on paying to the Lessor in addition the full dead rent in respect of the said mines beds veins or seams of mica so surrendered at the rate heretofore mentioned for the year in which such surrender is made and the year next succeeding.

7. In addition to the power to surrender given to the Lessee by the last preceding clause the Lessee may at any time or times during the said terms surrender to the Lessor the mines beds veins or seams of mica lying in or under the whole of the said squares or under any one or more of them without showing any reasons therefor as aforesaid but on giving to the Lessor not less than 12 calendar months' notice in writing of his intention in that behalf and on payment by him at the expiration of such notice of all rent dues royalties compensation for damage and other monies which may then be due and payable under these presents to the Lessor or any other person or persons for or in respect of or in connection with the mines beds veins or seams of mica surrendered.

Upon every surrender as in this and the last preceding clause hereof mentioned the liberties licenses and powers granted by these presents and every clause and thing herein contained shall absolutely cease and determine to the extent of and in regard to the mines beds veins or seams of mica comprised in such surrender but without prejudice to any right of purchase or right of action or remedy which shall have accrued to the Lessor in respect of any antecedent breach of any of the covenants or provisions herein contained.

8. All notices required to be served upon the Lessee and all instructions and communications required to be given or made to him under any of the provisions of these presents shall be deemed to be sufficiently served given or made if handed to the Manager or Agent of the Lessee or if for the time being there shall be no such Manager or Agent then to any other servant of the Lessee upon the premises or left addressed to the Lessee upon any portion of the said mines or left or sent through the post addressed to him at his usual or last known place of abode and any notice required to be served upon the Lessor under any of the provisions of these presents shall be deemed to be sufficiently served if handed to or sent through the post addressed to the District Officer.

9. Whenever any doubt difference or dispute shall hereafter arise touching the construction of these presents or anything herein contained or any matter or thing connected with said mines and minerals hereby dealt with or the working or non-working thereof or the amount of payment of any royalties or rent reserved or made payable hereunder the matter in difference shall be decided by the Local Government whose decision shall be final.

## APPENDIX II (c).

### NOTIFICATION.

[See Rule 14 (X), page 136.]

No. 4374 L R.—The 3rd December 1902.—Under Rule 14 (X) of the Revised Rules laid down in the Bengal Government's Notification No. 142 T.—R., dated the 23rd April 1902, published at pages 577—81, Part I of the *Calcutta Gazette* of the 30th idem, for the grant of prospecting licenses and mining leases for mica in Bengal, lessees

of Government mica mines are required to furnish returns giving particulars of all mica obtained from such mines in such form as may be prescribed.

The following form is accordingly prescribed:—

### APPENDIX II (c).

OUTTURN OF MICA FOR THE MONTH OF

19

Block No. \_\_\_\_\_ Reserved  
Protected Forest, Hazaribagh

District \_\_\_\_\_ leased to \_\_\_\_\_

Address \_\_\_\_\_

[A separate return should be submitted for each block not later than the 5th of the following month.]

Undressed mica.	Marketable mica prepared during the month.			Sale value per maund.	Total sale value.	REMARKS.
1	2			3	4	5
Balance in godown on 1st of 19	Mds. s. CH.		Mds. s. CH.	Rs. A P	Rs. A P	
Received in godown during the month.						
Total ...						
Converted during the month into marketable mica as per column 2.						
Balance of undressed mica in godown on 31st 19		Total value				

Total value of marketable mica (in words) Rs. \_\_\_\_\_

The maund is taken as 82 lbs. In column (2) the different grades and qualities of mica should be separately shown.

In column (5) the amount paid for freight and transit from the mine should be shown as well as other necessary remarks.

In calculating the royalty the amount paid for freight and transit from the mine will be deducted from total of column (4).

I CERTIFY the above statement is correct and is compiled from the books kept in my office.

(Signature).

Lessee.  
Manager.

DATED  
The of 19 }







## APPENDIX VIII.

## A.

Adopted Form No. (P. W. D.) 52A.

*Annual Statement of Expenditure on Stores purchased in the Forest Department, Bengal, instead of being obtained from the Director-General of Stores, India Office, for the official year 19 .*

I.—IMPORTED STORES PURCHASED IN INDIA.							II.—STORES PRODUCED IN INDIA.			
Description or class of stores.	Number or quantity.	Actual Cost.			Date of order for local purchase.	Explanation of reasons for local purchase.	Description or class of stores	Number or quantity.	Total cost of goods obtained from Government Factories.	Total cost of goods obtained from private dealers.
		Average price or rate.	Incidental charges, carriage, etc.	Total cost.						
1	2	3	4	5	6	7	8	9	10	11

## B.

*Abstract of the Annual Statements of Expenditure on Stores for the year 19 .*

Description or class of stores.	Value of imported stores purchased.	VALUE OF STORES PRODUCED IN INDIA.		REMARKS.
		Cost of goods obtained from Government Factories.	Cost of goods obtained from private dealers.	
1	2	3	4	5

APPENDIX IX.

I. M. D. Form No. 31.

B. C. M. D. Form No. 11.

Civil Institutions

Indent No. \_\_\_\_\_

MEDICAL STORE DEPARTMENT.

Indent on the Medical Store Depot \_\_\_\_\_ for Medical and Surgical  
Equipment required for the use of the \_\_\_\_\_  
for twelve months; commencing from the \_\_\_\_\_ of \_\_\_\_\_ 19 .  
STRENGTH \_\_\_\_\_ AVERAGE DAILY SICK \_\_\_\_\_

Consecutive No.	ARTICLES.	Balance on hand on the	DURING YEAR		in Remaining store.	Now required.	Quantity sanc- tioned.	REMARKS BY		Consecutive No.
			Received.	Expended.				Administra- tive Medical Officer.	Depot.	
1	2	3	4	5	6	7	8	9	10	11
		lb oz dr	lb oz dr	lb oz dr	lb oz dr	lb oz dr	oz dr			

APPENDIX X.  
FORM I.

CHARACTER ROLL OF \_\_\_\_\_

Year.	Duty on which employed during the year.	Remarks of the Divisional Forest Officer and of the Conservator.

N. B.—(1) The heading should show the name and present rank of the officer and should give a brief history of his service.  
(2) When a roll is first started for an officer who has been in service for some time, it should open with a brief account of his conduct and work in the past.

## FORM II.

Name of officer with date of first appointment and present rank.	REMARKS BY—		
	Conservator.	Revenue Authorities.	Local Government.

D. B. Form—534—500—24.11.1910—F. de C.

# BENGAL FOREST MANUAL

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